Washington, Saturday, October 10, 1959

Title 3—THE PRESIDENT

Executive Order 10842

CREATING A BOARD OF INQUIRY TO REPORT ON CERTAIN LABOR DISPUTES AFFECTING THE MARITIME INDUSTRY OF THE UNITED STATES

WHEREAS there exist certain labor disputes between employers (or associations by which such employers are represented in collective bargaining conferences) who are (1) steamship companies or who are engaged as operators or agents for ships engaged in service from or to Atlantic and Gulf coast ports from Searsport, Maine, to Brownsville, Texas, or from or to other ports of the United States or its territories or possessions, (2) contracting stevedores, (3) contracting marine carpenters, or (4) other employers engaged in related or associated pier activities and certain of their employees represented by the International Longshoremen's Association (Independent); and

WHEREAS such disputes have resulted in a strike which, in my opinion, affects a substantial part of the maritime industry, an industry engaged in trade, commerce, transportation, transmission, or communication among the several states and with foreign nations, and which strike will, if permitted to continue, imperil the national health and safety and affect the flow and utilization of necessary perishable products, including food, for heavily populated coastal areas:

NOW, THEREFORE, by virtue of the authority vested in me by Section 206 of the Labor-Management Relations Act, 1947 (61 Stat. 155; 29 U.S.C. 176), I hereby create a Board of Inquiry, consisting of Guy Farmer of Washington, D.C., as chairman, George Frankenthaler of New York and John F. Sembower of Illinois, as members, whom I hereby appoint to inquire into the issues involved in such disputes.

The Board shall have powers and duties as set forth in Title II of such Act. The Board shall report to the President in accordance with the provisions of Sec-

tion 206 of such Act on or before October 10, 1959.

Upon the submission of its report, the Board shall continue in existence to perform such other functions as may be required under such Act, until the Board is terminated by the President.

DWIGHT D. EISENHOWER

THE WHITE HOUSE, October 6, 1959.

[F.R. Doc. 59-8617; Filed, Oct. 8, 1959; 4:33 p.m.]

Title 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agricul-

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[1959 CCC Cotton Bulletin 2, Amdt. 4]

PART 427—COTTON

Subpart—1959 Cotton Purchase Program Regulations

LIENHOLDER'S WAIVER ON LANDS ADMINISTERED BY THE BUREAU OF INDIAN AFFAIRS

The regulations issued by Commodity Credit Corporation and Commodity Stabilization Service, published in 24 F.R. 3482, 4876, 6643, and 7520 as 1959 CCC Cotton Bulletin 2 and containing the terms and conditions with respect to the 1959 Cotton Purchase Program, are hereby amended to provide for the use of Supplement To Cotton Producer's Sales Agreement (For CCC Cotton SA-S) 1 in lieu of the execution of the Lienholder's Waiver on the Cotton Producer's Sales Agreement (Form CCC Cotton SA) tendered by producers who have leased land owned by Indians and administered by the Bureau of Indian Affairs U.S. Department of the Interior.

Section 427.1063 is hereby amended to read as follows:

CONTENTS THE PRESIDENT

Executive Order Creating a Board of Inquiry to report on certain labor disputes affecting the maritime industry of the United States	Page 8249
EXECUTIVE AGENCIES	0-10
Agricultural Marketing Service	
Rules and regulations: Grapefruit grown in Arizona and certain parts of California; limitation of shipments. Lemons and oranges grown in Arizona and California; limitation of handling (2 documents)	8252
Potatoes, Irish, grown in Colorado; limitation of shipments;	8251
Area No. 1 Raisins produced from raisin variety grapes grown in Cali- fornia; list of countries for	8252
export sale	825 3
Agricultural Research Service Rules and regulations: Animals destroyed because of scrapie; mortgages	8254
Agriculture Department See Agricultural Marketing Serv- ice; Agricultural Research Serv- ice; Commodity Credit Corpora- tion.	
Alien Property Office Notices:	
Dreyfus, Fritz; intention to return vested property	8286
Army Department Rules and regulations: Claims against the U.S.; mustering-out payments	8257
Atomic Energy Commission Notices:	
Construction of nuclear facility; power demonstration re- actor program projects: City of Piqua, Ohio Elk River	8279 8280
Civil Aeronautics Board Notices:	
American Shippers enforcement	

proceeding; hearing_____

8277

8249

¹ Form filed as part of original document. (Continued on p. 8251)



REpublic 7-7500

Extension 3261

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Office of the Federal Register, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Frinting Office, Washington 25, D.C.

The FEDERAL REGISTER will be furnished by mall to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office. Washington 25 D.C.

the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D.C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

pocket supplements vary.

There are no restrictions on the republication of material appearing in the FIDITAL RIGISTIC, or the CODE OF FEDERAL REGULATIONS.

SEMIANNUAL CFR SUPPLEMENT

(As of July 1, 1959)

The following semiannual cumulative pocket supplement is now available:

Title 46, Paris 146–149, 1959 Supplement 1 (\$1.25)

Order from Superintendent of Documents, Government Printing Office, Washington 25, D. C.

CONTENTS—Continued

Commerce Department	Page
See also Federal Maritime Board.	-
Notices:	
Grandbois, Morlan J.; state-	
ment of changes in financial	
interests	8277
Commodity Credit Corporation	
Notices:	
October 1959 monthly sales list;	
notice to buyers	8277
Rules and regulations:	
Cotton; lienholder's waiver on	
lands administered by Bureau	
of Indian Affairs	8249
Customs Bureau	,
Proposed rule making:	•
Procedures under Antidumping	
Act of 1921, as amended	8265

CONTENTS—Continued

CONTENTS—Confinued	
Defense Department See Army Department.	Page
Federal Aviation Agency Proposed rule making: Control areas and Federal air-	
ways Federal airways Restricted areas	8270 8270 8271
Rules and regulations: Multiengine turbine-powered airplanes; fuel reserves	8254
Federal Communications Commission	
Notices:	
Hearings, etc.: Fayetteville Broadcasting Co.,	
Inc. (KHOG)	8281
H and R Electronics, Inc., et al.	8281
Mount Wilson FM Broadcasters, Inc. (KBCA), and Freddot, Ltd. (KITT)	
Supreme Broadcasting Co.	8282
Inc., of Puerto Rico and Radio American West In-	
dies, Inc Taylor, Frank A., et al	8282 8282
Mexican broadcast stations; list of changes, proposed changes,	0202
and correction in assign- ments	8281
Federal Maritime Board	
Rules and regulations:	
Vessel values for war risk insur- ance	8260
Federal Power Commission	
Notices:	*
California Oregon Power Co.; modification of notice of land withdrawal; correction	8281
Federal Trade Commission	
Rules and regulations:	
Cease and desist orders: Link Sales Co., Inc., et al	8255
Salm's, Inc., et al	8255
S. Kann Sons Co	8256
Fish and Wildlife Service	
Rules and regulations:	
Hunting and fishing: ^ Fort Peck Game Range,	
Montana	8262
Little Pend Oreille National Wildlife Refuge, Wash-	
ington McKay Creek National Wild-	8262
life Refuge, Oregon	8263
Red Rock Lakes Migratory	
Waterfowl Refuge, Mon- tana	8263
Tule Lake National Wildlife Refuge, California	8264
Food and Drug Administration	
Proposed rule making: Residues of roppel: filing of pe-	
Residues of ronnel; filing of petition for establishment of tolerance	8270
Health, Education, and Welfare	

Department

tion.

See Food and Drug Administra-

CONTENTS—Continued

Page

Indian Affairs Bureau

Indian Affairs Bureau	Page
Rules and regulations:	
Establishment of roadless and wild areas on Indian reserva-	
tions; elimination of certain	
areas	8257
Interior Department	
See also Fish and Wildlife Serv-	
ice: Indian Affairs Bureau:	•
Land Management Bureau,	
Notices:	
Director, Bureau of Mines; dele- gation of authority	8277
	0411
Interstate Commerce Commis-	
sion 6	
Notices: Fourth section applications for	
relief	8286
	0400
Justice Department See Alien Property Office.	
-	
Land Management Bureau	
Rules and regulations: Public land orders:	
Florida	8260
Montana	8260
Maritime Administration	
See Federal Maritime Board.	
-	
Securities and Exchange Com-	
mission	
Notices:	
Hearings, etc.: Aelus Wing Co., Inc	8283
Allis-Chalmers Mfg. Co	8283
Aluminium Limited	8283
American Motors Corp	8284
Brunswick-Balke-Collender	0004
CoBurroughs Corp	8284 8284
Detroit Steel Corp	8284
Fruehauf Trailer Co	8284
Jones & Laughlin Steel Corp	8285
National Gypsum Co	8285
North American Aviation, Inc	0005
	XXXX
Studebaker-Packard Corp	8285 8285
Studebaker-Packard Corp` Proposed rule making:	
Uniform system of accounts for	
Uniform system of accounts for public utility holding com-	
Uniform system of accounts for public utility holding companies; preservation and de-	
Uniform system of accounts for public utility holding companies; preservation and destruction of books of accounts	
Uniform system of accounts for public utility holding companies; preservation and destruction of books of accounts and other records	8285
Uniform system of accounts for public utility holding companies; preservation and destruction of books of accounts and other records	8285
Uniform system of accounts for public utility holding companies; preservation and destruction of books of accounts and other records	8285
Uniform system of accounts for public utility holding companies; preservation and destruction of books of accounts and other records	8285
Uniform system of accounts for public utility holding companies; preservation and destruction of books of accounts and other records Treasury Department See Customs Bureau. CODIFICATION GUIDE	8285 8271
Uniform system of accounts for public utility holding companies; preservation and destruction of books of accounts and other records	8285 8271 Code ments
Uniform system of accounts for public utility holding companies; preservation and destruction of books of accounts and other records	8285 8271 Code ments
Uniform system of accounts for public utility holding companies; preservation and destruction of books of accounts and other records Treasury Department See Customs Bureau. CODIFICATION GUIDE A numerical list of the parts of the of Federal Regulations affected by document published in this issue. Proposed ruli opposed to final actions, are identifications.	8285 8271 Code ments
Uniform system of accounts for public utility holding companies; preservation and destruction of books of accounts and other records	8285 8271 Code ments es, as ed , as vering
Uniform system of accounts for public utility holding companies; preservation and destruction of books of accounts and other records Treasury Department See Customs Bureau. CODIFICATION GUIDE A numerical list of the parts of the of Federal Regulations affected by document published in this issue. Proposed rul opposed to final actions, are identificated. A Cumulative Codification Guide counter current month appears at the end of the curren	8285 8271 Code ments es, ās ed as vering cach
Uniform system of accounts for public utility holding companies; preservation and destruction of books of accounts and other records. Treasury Department See Customs Bureau. CODIFICATION GUIDE A numerical list of the parts of the of Federal Regulations affected by document published in this issue. Proposed rule opposed to final actions, are identification. A Cumulative Codification Guide courte current month appears at the end of issue beginning with the second issue of the current system.	8285 8271 Code ments es, ās ed as vering cach
Uniform system of accounts for public utility holding companies; preservation and destruction of books of accounts and other records Treasury Department See Customs Bureau. CODIFICATION GUIDE A numerical list of the parts of the of Federal Regulations affected by document published in this issue. Proposed ruli opposed to final actions, are identification. A Cumulative Codification Guide continument month appears at the end of issue beginning with the second issue of month.	8271 Code ments es, as ed as vering teach of the
Uniform system of accounts for public utility holding companies; preservation and destruction of books of accounts and other records Treasury Department See Customs Bureau. CODIFICATION GUIDE A numerical list of the parts of the of Federal Regulations affected by document published in this issue. Proposed ruli opposed to final actions, are identification. A Cumulative Codification Guide conthe current month appears at the end of issue beginning with the second issue of month.	8285 8271 Code ments es, ās ed as vering cach
Uniform system of accounts for public utility holding companies; preservation and destruction of books of accounts and other records Treasury Department See Customs Bureau. CODIFICATION GUIDE A numerical list of the parts of the of Federal Regulations affected by docupublished in this issue. Proposed rul opposed to final actions, are identifisuch. A Cumulative Codification Guide conthe current month appears at the end of issue beginning with the second issue of month. 3 CFR Executive orders:	8285 8271 Code ments es, as ed, as ed, as reach as teach af the
Uniform system of accounts for public utility holding companies; preservation and destruction of books of accounts and other records. Treasury Department See Customs Bureau. CODIFICATION GUIDE A numerical list of the parts of the of Federal Regulations affected by docupublished in this issue. Proposed rul opposed to final actions, are identifisuch. A Cumulative Codification Guide continum the current month appears at the end of issue beginning with the second issue of month. 3 CFR Executive orders: 6883 (revoked by PLO 2005)	8285 8271 Code ments es, as ed as ced as ced as ced as ced as ced as ced as 2 ceach of the Page 8260
Uniform system of accounts for public utility holding companies; preservation and destruction of books of accounts and other records Treasury Department See Customs Bureau. CODIFICATION GUIDE A numerical list of the parts of the of Federal Regulations affected by docupublished in this issue. Proposed rul opposed to final actions, are identifisuch. A Cumulative Codification Guide conthe current month appears at the end of issue beginning with the second issue of month. 3 CFR Executive orders:	8285 8271 Code ments es, as ed as ced as ced as ced as ced as ced as ced as 2 ceach of the Page 8260

CODIFICATION GUIDE—Con.

7 CFR	Page
922	8251
953	8251
955	8252
958	8252
	8253
989	0200
9 CFR	
54	8254
14 CFR	
14 CFK	0054
41	8254
Proposed rules:	0070
600 (2 documents)	
601	
608	8271
16 CFR	
13 (3 documents) 8255	. 8256
	,
17 CFR	
Proposed rules:	
257	8271
19 CFR	
Proposed rules:	
14	8265
16	8265
	4
21 CFR	
Proposed rules:	
120	8270
25 CFR	
163	8257
	0201
32 CFR	
536	8257
43 CFR	
Public land orders:	
	8260
2005	
2006	8260
46 CFR	
309	8260
50 CFR	
31 (5 documents) 8265	2-8264

§ 427.1063 Liens.

Eligible cotton must be free and clearof all liens except the warehouseman's lien for charges permitted under § 427.1066 on warehouse-stored cotton. The signatures of the holders of all existing liens on cotton tendered for purchase by CCC, such as landlords, laborers, or mortgagees (but not the warehouseman, if the cotton is stored in a warehouse) must be obtained on the Lienholder's Waiver on each Form SA. If the producer tendering the cotton for purchase is not the owner of the land on which the cotton was produced, all landowners and landlords must sign the Lienholder's Waiver whether or not they claim liens, unless they sign the Sales Agreement jointly with the producer: Provided, however, That, notwithstanding any other provision of this subpart, in cases where a producer leases land owned by Indians and administered by the Bureau of Indian Affairs, U.S. Department of the Interior, CCC will accept, in lieu of a Lienholder's Waiver signed by the landowners, a Supplement To Cotton Producer's Sales Agreement (Form CCC Cotton SA-S) containing a certification by the Bureau of Indian Affairs that there is no lien for rent on the land covered by the lease and a sup-

plemental certification signed by the producer. A fraudulent representation, as to prior liens or otherwise, will render the producer personally liable under the terms of the Sales Agreement and subject him to criminal prosecution under the provisions of the Commodity Credit The Lien-Corporation Charter Act. holder's Waiver must be signed personally by all lienholders, by their agents (in which case duly executed Powers of Attorney (CCC Cotton Form 77) must be filed with the New Orleans office), or if a corporation, by the designated officer thereof customarily authorized to execute such instruments (in which case no authority need be attached).

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 102 401, 63 Stat. 1051, as amended; 15 U.S.C. 714c, 7 U.S.C. 1441, 1443, 1421.)

Issued this 6th day of October 1959.

CLARENCE D. PALMBY, Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 59-8564; Filed, Oct. 9, 1959; 8:47 a.m.]

Title 7—AGRICULTURE

Chapter IX-Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Valencia Orange Reg. 186]

922—VALENCIA ORANGES GROWN IN ARIZONA AND DESIG-NATED PART OF CALIFORNIA

Limitation of Handling

§ 922.486 Valencia Orange Regulation 186.

(a) Findings. (1) Pursuant to the marketing agreement and Order No. 22, as amended (7 CFR Part 922), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective

time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on October 8, 1959.

(b) Order. (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., October 11, 1959, and ending at 12:01 a.m., P.s.t., October 18, 1959, are hereby fixed as follows:

(i) District 1: Unlimited movement;(ii) District 2: 646,800 cartons;

(iii) District 3: Unlimited movement. (2) All Valencia cranges handled during the period specified in this section are subject also to all applicable size

restrictions which are in effect pursuant

to this part during such period. (3) As used in this section, "handled," "handler," "District 1," "District 2," "District 3." and "carton" have the same meaning as when used in said marketing agreement and order, as amended.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: October 9, 1959.

S. R. SMITH, Director, Fruit and Vegetable Division, Agricultural Markefing Service.

[F.R. Doc. 59-8632; Filed, Oct. 9, 1959; 11:35 a.m.]

[Lemon Reg. 814]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 953.921 Lemon Regulation 814.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953: 23 F.R. 9053), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the Federal Register (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation: interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on October 7, 1959.

(b) Order. (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., October 11, 1959, and ending at 12:01 a.m., P.s.t., October 18, 1959, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: 93,000 cartons;
- (iii) District 3: 55,800 cartons.

(2) As used in this section, "handled,"
"District 1," "District 2," "District 3,"
and "carton" have the same meaning as
when used in the said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: October 8, 1959.

S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Marketing Service.

[F.R. Doc. 59-8618; Filed, Oct. 9, 1959; 9:10 a.m.] [Grapefruit Reg. 127]

PART 955—GRAPEFRUIT GROWN IN ARIZONA; IN IMPERIAL COUNTY, CALIF., AND IN THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF WHITE WATER, CALIF.

Limitation of Shipments

§ 955.388 Grapefruit Regulation 127.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 55, as amended (7 CFR Part 955), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of White Water, California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the administrative committee (established under the aforesaid amended marketing agreement and order), and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication therof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date. The Administrative Committee held an open meeting on October 1, 1959, to consider recommendations for a regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; information regarding the provisions of the regulation recommended by the committee has been disseminated to shippers of grapéfruit, grown as aforesaid, and this section, including the effective time thereof, is identical with the recommendation of the committee; it is necessary, in order to effectuate the declared policy of the act, to make this section effective on the date hereinafter set forth so as to provide for the regulation of the handling of grapefruit at the start of this marketing season; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) Order. (1) During the period beginning at 12:01 a.m., P.s.t., October 11, 1959, and ending at 12:01 a.m., P.s.t., December 13, 1959, no handler shall handle:

(i) Any grapefruit of any variety grown in the State of Arizona; in Imperial County, California; or in that part of Riverside County, California, situated south and east of White Water, California, unless such grapefruit are well colored, and otherwise grade at least U.S. No. 2; or

(ii) From the State of California or the State of Arizona to any point outside thereof in the United States, any grapefruit, grown as aforesaid, which measure less than 311/16 inches in diameter, except that a tolerance of 5 percent, by count, of grapefruit smaller than the foregoing minimum size shall be permitted which tolerance shall be applied in accordance with the provisions for the application of tolerance, specified in the revised United States Standards for Grapefruit (California and Arizona), 7 CFR 51.925-51.955: Provided, That, in determining the percentage of grapefruit in any lot which are smaller than 311/16 inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 4% inches in diameter and smaller.

(2) As used in this section, "handler," "variety," grapefruit," and "handle" shall have the same meaning as when used in said amended marketing agreement and order; the terms "U.S. No. 2" and "well colored" shall each have the same meaning as when used in the aforesaid revised United States Standards for Grapefruit; and "diameter" shall mean the greatest dimension measured at right angles to a line from the stem to blossom end of the fruit.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: October 7, 1959.

S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Marketing Service.

[F.R. Doc. 59-8561; Filed, Oct. 9, 1959; 8:47 a.m.]

PART 958—IRISH POTATOES GROWN IN COLORADO

Limitation of Shipments; Area No. 1

Findings. (a) Marketing Agreement No. 97, and Order No. 58 (7 CFR Part 958), effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), provide methods for limiting the handling of potatoes grown in the areas defined therein through the issuance of regulations authorized in §§ 958.1 through 958.88, inclusive, of the order. The area committee for Area No. 1, pursuant to § 958.19 of the order, has recommended that regulations limiting the handling of 1959 crop potatoes should be issued. The recommendations of the committee and information submitted by it, with other available information, have been considered and it is hereby found that the limitation of shipments hereinafter set forth will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in

the Federal Register (5 U.S.C. 1001-1011) in that (1) the time intervening between the date when information upon which this section is based was received and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, (2) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating the shipment of potatoes, in the manner set forth below, on and after the effective date of this section, (3) compliance with this section will not require any special preparation on the part of handlers which cannot be completed by the effective date, (4) reasonable time is permitted, under the circumstances, for such preparation, and (5) information regarding the committee's recommendations has been made available to producers and handlers in the production area.

§ 958.332 Limitation of shipments.

During the period from October 12, 1959, through May 31, 1960, no handler shall ship any lot of potatoes grown in Area No. 1 unless such potatoes meet the following requirements. The requirements of paragraph (b) shall terminate on November 1, 1959.

(a) Minimum grade and size requirements—(1) Grade. All varieties—U.S.
No. 2, or better, grade.
(2) Size. (i) Round varieties—2

(2) Size. (i) Round varieties—inches minimum diameter.

(ii) Long varieties—2 inches minimum diameter or 4 ounces minimum weight.

(b) Minimum maturity requirements.
(1) All varieties—not more than "slightly skinned".

(c) Definitions. The terms "U.S. No. 2 grade" and "slightly skinned" shall have the same meaning as when used in the United States Standards for Potatoes (§§ 51.1540 to 51.1556 of this title), including the tolerances-set forth therein. Other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97 and this part.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: October 7, 1959, to become effective October 12, 1959.

S.R. SMITH, Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59-8562; Filed, Oct. 9, 1959; 8:47 a.m.]

PART 989—RAISINS PRODUCED FROM RAISIN VARIETY GRAPES GROWN IN CALIFORNIA

Free, Reserve and Surplus Percentages for 1959–60 Crop Year and List of Countries for Export Sale of Surplus Tonnage Through Handlers

The Raisin Administrative Committee has recommended the percentages of

standard raisins, of each varietal type, acquired during the 1959-60 crop year which shall be free tonnage, reserve tonnage, and surplus tonnage, respectively, and a list specifying the countries to which sale in export of surplus tonnage raisins may be made by or through handlers. The committee is established under, and its recommendation is pursuant to, Marketing Agreement No. 109, as amended, and Order No. 89, as amended (7 CFR Part 989), regulating the handling of raisins produced from raisin variety grapes grown in California, hereinafter referred to collectively as the "order". The said marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the "act".

In conformity with § 989.163(a) (24 F.R. 7500) of the administrative rules and regulations, as amended (Subpart-Administrative Rules and Regulations; 7 CFR 989.101-989.280, as amended), the recommended percentages for standard natural (sun-dried) Thompson Seedless raisins were computed by the committee in accordance with the method of computation (hereinafter referred to as the "formula") set forth in § 989.163(b) (24 F.R. 7500) of said rules and regulations, as follows:

(1) Free tonnage percentage. The three-year (1954-55, 1955-56, and 1956-57 crop years) average of the free tonnage shipments of natural (sun-dried) Thompson Seedless raisins to Western Hemisphere markets, 144,583 tons,¹ divided by the estimated 1959 production of such raisins, 220,000 tons,¹ as reported by the California Office of the Agricultural Estimates Division, Agricultural Marketing Service, United States Department of Agriculture, with the quotient of such division multiplied by 100 and rounded to the nearest whole number equals a free tonnage percentage of 66 percent.

(2) Reserve tonnage percentage. The reserve tonnage percentage of 12½ percent is that prescribed by § 989.163(b)

(3) Surplus tonnage percentage. The surplus tonnage percentage of 21½ percent is the remainder obtained by subtracting the total of the free tonnage percentage and the reserve tonnage percentage from 100 percent.

In view of unforeseen rain damage. the committee submitted with its aforesaid recommendation certain data and estimates bearing on the use of the formula at this time. It estimates that due to the recent rain damage and other causes, 7,500 tons of the aforesaid reported 1959 production of 220,000 tons of natural (sun-dried) Thompson Seedless raisins would fail to meet the requirements for standard raisins. Thus, the production of standard raisins of this varietal type would be approximately 212,500 tons. The order requires that the free, reserve, and surplus percentages be applied to handlers' acquisitions of standard raisins to provide the free, reserve, and surplus tonnages. The rain damage was unexpected and the formula did not allow for such loss of standard raisins from the 1959 production.

If the free percentage of 66 percent, computed pursuant to the formula, should be established, the estimated free tonnage resulting from the application of that percentage to the acquisitions of standard raisins, would be less than the free tonnage objective of 144,583 tons (i.e., the three-year average) contemplated by the formula. To meet such objective, it is necessary to increase the free percentage of 66 percent computed and recommended by the committee to 68 percent and to decrease the surplus percentage accordingly.

In recognition of the foregoing situation, the committee, by formal resolution unanimously adopted, expressed its preference that the free, reserve and surplus percentages for natural (sundied) Thompson Seedless raisins be fixed at 68, 12½, and 19½ percent, respectively, in lieu of the percentages of 66, 12½, and 21½ percent, respectively, resulting from the formula. Since it is expected that producers will receive higher returns from such raisins sold in free tonnage outlets, and the percentages preferred by the committee would be in accordance with the objectives of the order and the act, these percentages

should be the ones designated for the current crop year.

According to the committee's recommendation and the information submitted therewith, the total supply of other varietal types of raisins is expected to approximate 21,450 tons. This supply is not deemed to be in excess of the quantity which can be marketed as free tonnage and that needed to provide reasonable carryout. The free tonnage percentage for each of the other varietal types should, therefore, be fixed as 100 percent, and the reserve tonnage percentage and the surplus tonnage percentage each at zero percent.

It is hereby found that to designate the respective free tonnage percentages, reserve tonnage percentages, and surplus tonnage percentages for the 1959-60 crop year, as hereinafter set forth, and to establish a list of countries to which sale in export of surplus tonnage raisins may be made by or through handlers, as hereinafter provided, will tend to effectuate the declared policy of the act.

It is therefore ordered, That such percentages and countries shall be as follows:

§ 989.213 Free, reserve and surplus tonnage percentages for the 1959-60 crop year.

The percentages of each varietal type of standard raisins acquired by handlers during the crop year beginning September 1, 1959, and ending August 31, 1960, which shall be free towage, reserve tonnage, and surplus tonnage, respectively, are designated as follows: (a) Natural (sun-dried) Thompson Seedless raisins: Free tonnage percentage, 68 percent; reserve tonnage percentage, 12½ percent; and surplus tonnage percentage, 12½ percent; and surplus tonnage percentage, 19½ percent; and (b) each of the other

In terms of natural condition weight.

varietal types, including natural (sundried) Muscat, natural (sundried) or artificially dehydrated Sultana, natural (sundried) or artificially dehydrated Zante Currant, Layer Muscat, Golden Seedless, Sulfur Bleached, Soda Dipped, and Valencia raisins: Free tonnage percentage, 100 percent; reserve tonnage percentage, zero percent, and surplus tonnage percentage, zero percent.

§ 989.214 Countries to which sale in export of surplus tonnage raisins may be made by or through handlers.

The countries to which sale in export of surplus tonnage raisins acquired by handlers during the crop year beginning September 1, 1959, and ending August 31, 1960, may be made by or through handlers shall be all of those countries outside of the Western Hemisphere. For purposes of this section, "Western Hemisphere" means Greenland and the area east of the International Date Line and west of 30 degrees W. longitude.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice and engage in public rule-making procedure, and that good cause exists for making the designations herein effective at the time hereinafter set forth rather than postponing the effective time hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that: (1) Acquisition of standard natural (sun-dried) Thompson Seedless raisins by handlers during the 1959-60 crop year has begun; (2) it is necessary to have this designation of percentages in effect promptly for application against acquisitions of such raisins and provide surplus tonnage raisins to meet the current export demand which may be lost to the California raisin industry if not supplied promptly; (3) the formula, containing the basis for determining the free tonnage objectives of 144,583 tons of such raisins was published in the September 17, 1959, issue of the Federal REGISTER, and production data were released and made available to all interested persons on September 24, 1959: (4) since a free percentage of 100 percent is designated for all raisins other than natural (sun-dried) Thompson Seedless raisins, this regulation merely establishes the status of such other raisins and imposes no obligation on handlers; (5) handlers are aware that the percentages designated herein are those preferred by the committee; and (6) such persons need no further notice in order to utilize or comply with this regulation. In these circumstances, the designations herein should become effective on the date of their publication in the Federal Register.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: October 7, 1959, to become effective upon publication in the Federal Register.

S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F.R. Doc. 59-8580; Filed, Oct. 9, 1959;
8:49 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER B—COOPERATIVE CONTROL AND ERADICATION OF ANIMAL DISEASES

PART 54—ANIMALS DESTROYED BECAUSE OF SCRAPIE

Morigages

Pursuant to the provisions of sections 3 and 11 of the Act of May 29, 1884, as amended (23 Stat. 32, 58 Stat. 734) and section 2 of the Act of February 2, 1903 (32 Stat. 792; 21 U.S.C. 114, 111, 114a, §§ 54.1 and 54.6 of the regulations pertaining to payment of indemnities for animals destroyed because of scrapie, a contagious and infectious animal disease (9 CFR, 1958 Supp., Part 54), are hereby amended in the following respects:

1. A new paragraph (e) is added to § 54.1 to read:

§ 54.1 Definitions.

(e) "Mortgage" means any mortgage, lien or other security or beneficial interest held by any person other than the one claiming indemnity.

2. Section 54.6 is amended to read:

§ 54.6 Mortgage against animals.

When animals have been destroyed pursuant to the requirements contained in this part, any claim for indemnity shall be presented on forms furnished by the Division on which the owner of the animals shall certify that the animals covered thereby, are, or are not, subject to any mortgage as defined in this part. If the owner states there is a mortgage, forms furnished by the Division shall be signed by the owner and by each person holding a mortgage on the animals, consenting to the payment of any indemnity allowed to the persor specified thereon. (Sec. 11, 58 Stat. 734, as amended, 67 Stat. 493; 21 U.S.C. 114, 111, 114a)

Effective date. The foregoing amendment shall become effective upon issuance.

The purposes of the revisions contained in this amendment are (1) to clarify the language in § 54.6 of this part by specifically designating the party to whom indemnity will be paid and (2) to bring § 54.6 into closer conformity with § 51.8 of this subchapter.

It is believed the amendment will-facilitate the payment of indemnity claims involving mortgaged animals and will therefore be of benefit to affected persons. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and the amendment may be made effective less than 30 days after publication in the Federal Register.

Done at Washington, D.C., this 6th day of October 1959.

M. R. CLARKSON, Acting Administrator, Agricultural Research Service.

[F.R. Doc. 59-8563; Filed, Oct. 9, 1959; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency [Reg. Docket No. 151; Reg. No. SR-427A]

PART 41—CERTIFICATION AND OP-ERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUT-SIDE CONTINENTAL LIMITS OF UNITED STATES

Special Civil Air Regulation; Fuel Reserves for Multiengine Turbine-Powered Airplanes

Special Civil Air Regulation No. SR-427, adopted October 23, 1958 (23 F.R. 8338), prescribes the minimum fuel reserve for multiengine turbine-powered airplanes for scheduled air carrier operations outside the continental limits of the United States. This regulation expires October 23, 1959.

SR-427 was adopted as an interim requirement until additional operational experience with turbine-powered airplanes provided sufficient data for establishing firm fuel requirement standards in the operating parts of the Civil Air Regulations. Since the effective date of SR-427, an air carrier using one type of turbine-powered airplane has gained considerable experience operating under the fuel requirements of this regulation. Notwithstanding this extensive experience, however, it appears that a further accumulation of information on the adequacy of fuel requirements is necessary before final standards are established. This is especially appropriate since other air carriers will be introducing new types and models of jet transport airplanes during the coming year and will be operating them on different routes throughout the world. This will permit further evaluation of the fuel requirements under all possible conditions. The additional information gained in these operations will be most valuable in formulating final standards and justifies extending the provisions of SR-427 for an additional year pending further surveillance of such operations.

One operating procedure has developed out of the requirements of SR-427 which has been clarified in this regulation. This involved the question of whether the minimum fuel requirements of SR-427 require the necessary fuel to make an approach at the next point of landing specified in the clearance prior to proceeding to the alternate airport. To preclude any further misinterpretations of these requirements, the regulation now requires sufficient fuel to fly to and land at the next point of landing specified in the clearance. The necessity for this

requirement should be clearly understood, since it is permissible, when the weather at an airport is reported below landing minimums, for a flight operating under Part 41 and outside the U.S., to make an instrument approach down to approved landing minimums and land at that airport in the event weather conditions equal to or better than the prescribed minimums for the airport are found to exist by the pilot in command of the flight upon reaching the prescribed minimum altitude for that airport. Thus, fuel planning must consider the possibility of an instrument letdown, missed approach, and climb back to altitude in proceeding to the alternate airport.

Since this regulation extends the provisions of a previous regulation without any substantive change and such regulation must continue in effect to provide for safety in air transportation, the Federal Aviation Agency finds that compliance with the notice, procedures, and effective date provisions of the Administrative Procedure Act is impracticable.

In consideration of the foregoing, the Federal Aviation Agency hereby makes and promulgates the following Special Civil Air Regulation, effective October 23, 1959:

Contrary provisions of § 41.98 of Part 41 of the Civil Air Regulations notwithstanding, turbine-powered aircraft (exclusive of turbo-propeller powered aircraft) may be dispatched or take off only if it carries sufficient fuel, considering the wind and other weather conditions expected, to fly to and land at the next point of landing specified in the clearance; and thereafter (1) to fly for a period equal to 10 percent of the total time required to fly from the point of dispatch to the next point of landing specified in the clearance and land at such airport; and thereafter (2) to fly to and land at the most distant alternate airport designated for that point in the clearance; and thereafter (3) to fly for a period of 30 minutes at holding speed at 1,500 feet above the alternate airport elevation under standard temperature conditions. In the case of a route approved without an available alternate for a particular stop, an aircraft dis-patched to that point shall carry sufficient fuel, considering wind and other weather conditions expected, to fly to that point and thereafter at least 2 hours at normal cruise consumption. When an authorized representative of the Administrator finds that fuel in excess of any of the minimums specified in this paragraph is necessary on a particular route in the interest of safety, the Operations Specifications of the air carrier may be amended to require such additional fuel.

This Special Civil Air Regulation supersedes Special Civil Air Regulation SR-427 and shall terminate October 23, 1960, unless sooner superseded or rescinded by the Administrator.

(Secs. 313(a), 601, 604, 72 Stat. 752, 775, 778; 49 U.S.C. 1354(a), 1421, 1424)

Issued in Washington, D.C., on October 6, 1959.

E. R. QUESADA, Administrator.

[F.R. Doc. 59-8537; Filed, Oct. 9, 1959; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission
[Docket 7400 c.o.]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Link Sales Co., Inc., et al.

Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 Furnishing means and instrumentalities of misrepresentation or deception: § 13.1056 Preticketing merchandise misleadingly. Subpart—Misbranding or mislabeling: § 13.1280 Price. Subpart—Misrepresenting oneself and goods—Prices: § 13.1811 Fictitious preticketing.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Link Sales Co., Inc., et al., Washington, D.C., Docket 7400, Sept. 1, 1959]

In the Matter of Link Sales Company, Inc., a Corporation, and Victor Link and Selma Link, Individually and as Officers of Said Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging Washington, D.C., suppliers of watches, jewelry, cutlery, and other merchandise to retailers for resale, with selling various items of merchandise with attached tags printed with fictitious prices represented thereby as the regular retail prices, and with supplying to their customers unattached tags printed with fictitious retail prices.

After acceptance of an agreement containing consent order, the hearing examiner made his initial decision and order to cease and desist which became on September 1 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Link Sales Company, Inc., a corporation, and its officers, and Victor Link, individually, and as an officer of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of watches, jewelry, cutlery and other merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, by preticketing or in any other manner, that any amount is the usual and regular retail price of merchandise when such amount is in excess of the price at which said merchandise is usually and regularly sold at retail;

2. Supplying tags bearing fictitious retail prices to customers, or putting any plan in operation or engaging in any act and practice whereby others may misrepresent the usual and regular retail price of merchandise.

It is further ordered, That the complaint be, and the same hereby is, dismissed as to respondent Selma Link.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is further ordered, That the respondents, Link Sales Company, Inc., a corporation, and Victor Link, individually and as an officer of said corporation, shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist contained in said initial decision.

Issued: September 1, 1959.

By the Commission.

[SEAL] ROBERT M. PARRISH, Secretary.

[F.R. Doc. 59-8541; Filed, Oct. 9, 1959; 8:45 a.m.]

[Docket 7497 c.o.]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Salm's, Inc., et al.

Subpart—Invoicing products falsely: § 13.1108 Invoicing products falsely: Fur Products Labeling Act. Subpart—Misbranding or mislabeling: § 13.1212 Formal regulatory and statutory requirements: Fur Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 Formal regulatory and statutory requirements: Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Salm's, Inc., et al., Evans-ville, Ind., Docket 7497, August 29, 1959]

In the Matter of Salm's, Inc., a Corporation, and Jerome L. Salm, Allan H. Salm, and Margaret McCune, Individually and as Officers of Said Corporation.

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a furrier in Evansville, Ind., with violating the Fur Products Labeling Act by failing to comply with labeling, invoicing, and advertising requirements, and by failing to maintain adequate records for pricing claims made in newspaper advertising.

After acceptance of an agreement for a consent order, the hearing examiner made his initial decision and order to cease and desist which became on August 29 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Salm's, Inc., and its officers, and Jerome L. Salm, Allan H. Salm and Margaret McCune, individually and as officers of said corporation, and respondents' representa-

tives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, offering for sale, transportation or distribution, in commerce, of fur products, or in connection with the sale, advertising, offering for sale, transportation or distribution of fur products which are made in whole or in part of fur which has been shipped in commerce, as "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Misbranding fur products by setting forth on labels attached to fur products information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder which is intermingled with non-required information.

2. Falsely or deceptively invoicing fur

products by:

(A) Failing to furnish purchasers of fur products an invoice showing each element of information required to be disclosed under section 5(b)(1) of the Fur Products Labeling Act.

(B) Setting forth required information under section 5(b) (1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in

abbreviated form;

(C) Failing to set forth the information required under section 5(b)(1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in a clear, legible, distinct and conspicuous manner;

(D) Failing to set forth the item number or mark assigned to a fur product.

- 3. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice, which is intended to aid, promote, or assist, directly or indirectly, in the sale or offering for sale of fur products, and which fails to set forth the information required under section 5(a) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder, in type of equal size and conspicuousness, and in close proximity with each other.
- 4. Making price claims or representations in advertisements respecting reduced prices, savings or value of fur products, unless respondents maintain full and adequate records disclosing the facts upon which such claims or representations are based.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: August 28, 1959.

By the Commission.

[SEAL]

John R. Heim, Acting Secretary.

[F.R. Doc. 59-8542; Filed, Oct. 9, 1959; 8:45 a.m.] [Docket 7398 c.o.]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

S. Kann Sons Co.

Subpart—Advertising falsely or misleadingly: § 13.30 Composition of goods: Fur Products Labeling Act; § 13.15 Prices: Exaggerated as regular and customary; Fictitious marking. Subpart—Invoicing products falsely: § 13.1108 Invoicing products falsely: Fur Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 Composition: Fur Products Labeling Act; § 13.1852 Formal regulatory and statutory requirements: Fur Products Labeling Act; § 13.1865 Manufacture or preparation: Fur Products Labeling Act; § 13.1886 Quality, grade or type of product.

(Sec. 6, 38 Stat. 721; 15 U.S.Ć. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45 69f) [Cease and desist order, S. Kann Sons Co., Washington, D.C., Docket 7398, September 2, 1959]

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a Washington, D.C., department store with violating the Fur Products Labeling Act by failing to set forth on invoices the term "Persian Lamb" as required and otherwise failing to comply with invoicing requirements; by advertising which failed to disclose the names of animals producing certain fur, to reveal that some fur products were composed of artificially colored fur, to use the term "Broadtail-processed Lamb" as required, and represented fictitious prices as usual retail prices; failing to keep adequate records as a basis for such pricing claims; and failing in other respects to comply with invoicing and advertising requirements.

Following acceptance of an agreement containing a consent order, the hearing examiner made his initial decision and order to cease and desist which became on September 2 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondent S. Kann Sons Co., a corporation, and its officers, and respondent's representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, offering for sale, transportation or distribution in commerce, of fur products, or in connection with the sale, advertising, offering for sale, transportation, or distribution of fur products which have been made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur", and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices to purchasers of fur products showing:

(a) The name or names of the animal or animals producing the fur or furs contained in the fur product as set forth in the Fur Products Name Guide and as

prescribed under the rules and regulations;

- (b) That the fur product contains or is composed of used fur, when such is the fact:
- (c) That the fur product contains or is composed of bleached, dyed or otherwise artificially colored fur, when such is the fact;
- (d) That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact:

(e) The name and address of the person issuing such invoice;

(f) The name of the country of origin of any imported furs contained in the fur product;

(g) The item number or mark assigned to a fur product:

2. Setting forth on invoices the name of the

of an animal other than the name of the animal that produced the fur contained in the fur product;
3. Setting forth on invoices informa-

3. Setting forth on invoices information required under section 5(b) (1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form;

4. Failing to use the term "Persian Lamb" as required by Rule 8 of the said rules and regulations promulgated under

said Act;

B. Falsely or deceptively advertising fur products through the use of any advertising, representation, public announcement or notice which is intended to aid, promote or assist, directly or indirectly, in the sale or offering for sale of fur products, and which:

1. Fails to disclose:

- (a) The name or names of the animal or animals which produced the fur or furs contained in the fur products, as set forth in the Fur Products Name Guide and as prescribed under the said rules and regulations;
- (b) That the fur products contain or are composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact;

2. Fails to use the term "Broadtailprocessed Lamb" as required by Rule 10 of the rules and regulations promulgated under the Fur Products Labeling Act;

- 3. Fails to set forth all the information required under section 5(a) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in type of equal size and conspicuousness and in close proximity with each other;
- 4. Represents, directly or by implication, that the retail prices of fur products are reduced from respondent's usual or regular prices, or that fur products are being offered for sale at prices affording savings, when such is not the fact.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondent S. Kann Sons Co., a corporation, shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has

complied with the order to cease and desist.

Issued: September 2, 1959.

By the Commission.

[SEAL]

ROBERT M. PARRISH,

Secretary.

[F.R. Doc. 59-8543; Filed, Oct. 9, 1959; 8:45 a.m.1

Title 25—INDIANS

Chapter I-Bureau of Indian Affairs, Department of the Interior

SUBCHAPTER O-RIGHTS-OF-WAY-ROADS

PART 163 - ESTABLISHMENT OF ROADLESS AND WILD AREAS ON INDIAN RESERVATIONS

Elimination of Certain Areas

On page 6054 of the FEDERAL REGISTER of July 29, 1959, there was published a notice of intention to amend §§ 163.1 and 163.2, Title 25 of the Code of Federal Regulations. The purpose of this amendment is to eliminate 155,000 acres on the Columbia-San Poil Divide Area, Colville Reservation, and 125,000 acres on the Mission Range Area, Flathead Reservation, from the list of roadless areas; also 19,000 acres on the Fort Charlotte Area and 11,000 acres on the Grand Portage Area, both on the Grand Portage Reservation, from the list of wild areas. The respective tribes requested the elimination of these areas to facilitate the economic development of the areas.

Interested persons were given an opportunity to submit their views, data, and arguments concerning the proposed amendment within 30 days from the date of publication of the notice. No written communications pertaining to the proposed amendment were received within the period specified.

The proposed amendment to the regulations is hereby adopted, without change, and is set forth below. This amendment is effective upon publication in the Federal Register.

ROGER ERNST. Assistant Secretary of the Interior.

Section 163.1 of Part 163 is amended to read as follows:

§ 163.1 Roadless areas.

OCTOBER 6, 1959.

A roadless area for the purpose of this part is one which contains no provision for the passage of motorized transportation and which is at least 100,000 acres in forested country or at least 500,000 acres in non-forested country. The following are established as roadless areas on Indian reservations:

Name of area	Reservation	Approximate acreage
Wind River Mountains. Mt. Thomas Mcsa Verde Goat Rocks	Shoshone Ft. Apache Consolidated Ute Yakima	220, 000 130, 000 115, 000 105, 000

The boundaries of these areas are described in the appendix to this part.1

Section 163.2 of Part 163 is amended to read as follows:

§ 163.2 Definition of wild areas.

There are certain areas, not large enough to be designated by the term roadless, from which it is nevertheless desirable to exclude provision for the passage of motorized transportation. Such tracts have been designated as wild areas. The Secretary of the Interior ordered that the following be established as wild areas on Indian reservations:

Name of area	Reservation	Approximate acreage
Mount Adams	Yakima	48,000

The boundaries of this area are indicated in the appendix to this part.1

[F.R. Doc. 59-8544; Filed, Oct. 9, 1959; 8:46 a.m.]

Title 32—NATIONAL DEFENSE

Chapter V-Department of the Army SUBCHAPTER B-CLAIMS AND ACCOUNTS PART 536-CLAIMS AGAINST THE **UNITED STATES**

Mustering-out Payments

Sections 536.75, 536.76, and 536.77 are revoked and the following sections substituted therefor:

536.70 General

536.71 Authority and delegations.

Members in active service in World 536.72 War II.

536.73 Members in active service on or after 27 June 1950.

536.74 Entitlement under both provisions of law.

536.75 Entitlement under one or the other provision of law.
Rates and conditions of payment.

536.76 Payments to survivors. 536.77

536.78 Payments to or on behalf of members discharged as mentally incompetent.

AUTHORITY: §§ 536.70 to 536.78 issued under sec. 3012, 70A Stat. 157; 10 U.S.C. 3012. Interpret or apply 58 Stat. 8, 66 Stat. 688; 38 U.S.C. 691 a-f, 1011-1016.

Source: Sec. III, Chapter 10, AR 37-104.

§ 536.70 General.

(a) Definitions—(1) Member of the Armed Forces. This term means any member of the United States Army, United States Navy, United States Air United States Marine Corps, United States Coast Guard, or any of

their respective components.
(2) Spouse. This term means a lawful wife or husband.

(3) Child. This term includes:

(i) A legitimate child;

(ii) A child legally adopted; or

(iii) A stepchild if, at the time of death of the member of the Armed Forces, such stepchild was a member of the deceased's household.

¹The appendix to this part appears at 3 F.R. 709-711, Mar. 22, 1938.

(4) Parent. This term includes father, and mother, stepfather and stepmother, and father and mother through adoption.

(5) Service "outside the continental limits of the United States." This term will include all service which is counted as service beyond the continental limits of the United States for the purpose of receiving foreign duty or sea duty pay. It also includes, for mustering-out pay purposes, service performed in a Territory or possession of the United States by a member who is a resident of such

Territory or possession.

(b) Computation of length of service. (1) In computation of the length of active duty for the purpose of determining entitlement to mustering-out payment under the Mustering-Out Payment Act of 1944, as amended, for those members who entered on active duty prior to July 1, 1947, there will be credited only such active duty (including foreign service) performed on or after December 7, 1941 through and including April 28, 1952 or the termination of the enlistment in which the member was serving on June 30, 1947, whichever is the éarlier.

(2) In computation of the length of active service for the purpose of determining entitlement to mustering-out payment under the Veteran's Readjustment Assistance Act of 1952, for those members who entered on active duty prior to February 1, 1955, there will be credited only such active duty (including foreign service) performed on or after June 27, 1950 through the termination of the enlistment in which the member was serving on January 31, 1955.

(3) Computation of length of active duty for those members who entered on active duty prior to July 1, 1947 and served continuously without a break in service, and who are eligible to receive mustering-out payment under each of the acts cited in subparagraphs (1) and (2) of this paragraph, will be made in accordance with subparagraphs (1) and (2) of this paragraph, and payment will be made in accordance with the election of the member.

(c) Exemption from taxation and claims of creditors. Mustering-out payments due or to become due under these acts will not be assignable. Any payments made to or on account of a veteran under the provisions of §§ 536.70 to 536.78 are exempt from taxation and claims of creditors (including any claim of the United States). Such payments are not subject to attachment, levy, or seizure by or under any legal or equitable process whatever either before or after receipt by the payee.

§ 536.71 Authority and delegations.

(a) Statutory authority—(1) Members in active service in World War II. The Mustering-Out Payment Act of 1944 (58 Stat. 8; 38 U.S.C. 691a), as amended, is the statutory authority for payment of mustering-out payment to members engaged in active service in World War II.

(2) Members in active service on or after June 27, 1950. The Veterans' Readjustment Assistance Act of 1952 (66 Stat. 688; 38 U.S.C. 1011-1016) is the statutory authority for payment of mustering-out payment to members engaged in active service on or after June 27, 1950.

- (b) Issuance of regulations. The acts cited in paragraph (a) of this section provides that the Secretary of the Army will make such regulations not inconsistent with these acts as may be necessary to carry out their provisions, and that the decisions of the Secretary of the Army will be final and not subject to review by any court or other Government official.
- (c) Authority in connection with payments on behalf of survivors and mentally incompetent members-(1) General. The Secretary of the Army, or such subordinate officer as he may designate, is authorized to make direct payment to survivors over 17 years of age, and to select a proper person or persons to whom mustering-out payments may be made for the use and benefit of former active members of the Armed Forces or their survivor(s) as set forth in § 536.77, without the necessity of appointment by judicial proceedings of a legal representative of any such former member or survivor(s) when, in the opinion of the Secretary or his designee:

(i) The interests of the persons under

17 years of age so justify, or

(ii) The former member or his survivor is suffering from a mental disability sufficient to make direct payment not in the best interest of such person or persons.

- (2) Discharge of Government obligation. Payments made under the provisions of subparagraph (1) of this paragraph will constitute a complete discharge of the obligation of the United States as provided in the acts cited in paragraph (a) of this section; and the selection of the proper person or persons as provided in §§ 536.70 to 536.78, as well as the correctness of the amount due and paid to such person(s), will have the same finality as that accorded decisions made pursuant to paragraph (b) of this section.
- (3) Legal guardian or committee appointed. The provisions of this paragraph will not apply where a legal guardian or committee has been judicially appointed, except as to any payments made under its provisions prior to receipt of the notice of appointment.
- (d) Authority delegated to Commanding General, Finance Center, U.S. Army—(1) Mentally incompetent persons. These acts provide for the designation of a person or persons as trustee, to receive mustering-out payment due any member of the Army who is mentally incompetent, for the benefit and use of such member. The Commanding General, Finance Center, U.S. Army, will designate the person or persons as trustee(s) for this purpose.
- (2) Deceased persons. The Commanding General, Finance Center, U.S. Army, will make all decisions, under approved policies and procedures and subject to such instructions as may be received from the Chief of Finance, concerning the relationship and selection of the proper person or persons who are entitled to receive mustering-out payment as qualified survivors of veterans

under the provisions of the acts cited in paragraph (a) of this section.

(3) Legally appointed guardians, committees, etc. The Commanding General, Finance Center, U.S. Army, will make all decisions, under approved policies and procedures and subject to such instructions as may be received from the Chief of Finance, concerning payment to legally appointed guardians or committees, and other persons authorized to act in a fiduciary capacity who are entitled to receive mustering-out payment in lieu of or on behalf of a qualified veteran under the acts cited in paragraph (a) of this section.

§ 536.72 Members in active service in World War II.

- (a) To whom payable. Except as provided in paragraph (b) of this section, each member of the Armed Forces who was engaged in active service in World War II and who is discharged or relieved from active service under honorable conditions on or after December 7, 1941, is eligible to receive mustering-out payment under the Mustering-Out Payment Act of 1944.
- (b) To whom not payable. No mustering-out payment under the Mustering-Out Payment Act of 1944 will be made to:
- (1) Any member entering upon active duty or enlisting on or after July 1, 1947.
- (2) Any member of the Armed Forces who at the time of discharge or relief from active duty was serving as a warrant officer in a pay grade W-4 or officer in a pay grade O-3 (more than 17 years service) or higher. See 29 Comp. Gen. 371.
- (3) Any member of the Armed Forces who at the time of discharge or relief from active duty is transferred or returned to the retired list with retirement pay or to a status in which he received retirement pay.
- (4) Any member of the Armed Forces discharged or relieved from active duty or who has transferred to a reserve component and subsequently discharged from an inactive status, because of the individual's importance to national health, safety, or interest, including any member discharged or relieved from active duty on his own initiative to accept employment unless he has served outside the continental limits of the United States or in Alaska.
- (5) Any member whose total period of service was as a student detailed for training under the Army Specialized Training Program.
- (6) Any member of the Armed Forces for any active duty performed prior to the date of his discharge from such forces for the purpose of entering the United States Military, Naval, Air Force, or Coast Guard Academy.
- (7) Any member of the Armed Forces whose sole service has been as a cadet at the United States Military Academy or in a preparatory school after nomination as a principal, alternate, or candidate for admission to the Academy.
- (8) Any commissioned officer unless he is discharged or relieved from active duty before April 29, 1955.

§ 536.73 Members in active service on or after June 27, 1950.

- (a) To whom payable. Except as provided in paragraph (b) of this section, each member of the Armed Forces who was engaged in active service on or after June 27, 1950, and prior to February 1, 1955, and who is discharged or relieved from active service under honorable conditions, is eligible to receive mustering-out payment under the Veterans' Readjustment Assistance Act of 1952.
- (b) To whom not payable. No mustering-out payment under the Veterans' Readjustment Assistance Act of 1952 will be made to any member within the purview of paragraph (a) of this section:

(1) Who at the time of discharge or relief from active duty is in a pay grade higher than O-3.

- (2) Who at the time of discharge or relief from active duty is entitled to severance pay or is transferred or returned to the retired list with retired pay, retirement pay, retainer pay, or equivalent pay, or to a status in which he receives such pay; provided that this subparagraph will not apply to any member, who is retired or separated pursuant to title 10, United States Code, sections 1201–17 (formerly Title IV, Career Compensation Act of 1949).
- (3) For any active duty performed prior to date of his discharge or relief from active duty on his own initiative to accept employment, or in the case of any member so relieved from active duty, for any active duty performed prior to date of his discharge while in such inactive status, unless he has served outside the continental limits of the United States or in Alaska.
- (4) Whose total period of service has been as a student assigned by the Armed Forces to a civilian institution for a course of education or training which was substantially the same as established courses offered to civilians,
- (5) For any active duty performed prior to the date of his discharge from the Armed Forces for the purpose of entering the United States Military, Naval, Air Force, or Coast Guard Academy.
- (6) Whose sole service has been as a cadet at the United States Military, Air Force, or Coast Guard Academy, or as a midshipman at the United States Naval Academy, or in a preparatory school after nomination as a principal, alternate, or candidate for admission to any of said academies.
- (7) Any commissioned officer unless he is discharged or relieved from active duty before February 1, 1958.
- (8) Any member of the Armed Forces who is ordered to active duty for the sole purpose of training duty or a physical examination, or for a period of less than 60 days.

§ 536.74 Entitlement under both provisions of law.

Members who entered upon active duty prior to July 1, 1947 and served continuously without a break in service, and were discharged on or after June 27, 1950 but prior to July 16, 1952, and were eligible and received mustering-out payment upon discharge between those dates under the Mustering-Out Payment Act

of 1944, are entitled to receive musteringout payment under the Veterans' Readjustment Assistance Act of 1952 at a subsequent date of discharge in connection with a subsequent period of service beginning on or after June 27, 1950.

§ 536.75 Entitlement under one or the other provision of law.

Members entering upon active duty prior to July 1, 1947 and serving continuously thereafter who are eligible to receive mustering-out payment under each provision of law for the same period of active duty, may elect to receive mustering-out payment under either act, but will not be entitled to payment under both acts.

§ 536.76 Rates and conditions of payment.

- (a) Amounts. Mustering-out payments for members eligible under §§ 536.72 and 536.73 will be in sums as follows:
- (1) \$300 for members who, having performed active duty for 60 days or more, have served outside the continental limits of the United States or in Alaska.
- (2) \$200 for members who, having performed active duty for 60 days or more, have not served outside the continental limits of the United States or in Alaska.

(3) \$100 for members who have performed active duty for less than 60 days.

- (b) Method of payment. (1) Each member eligible to receive mustering-out payment under paragraph (a) (1) of this section, will receive one-third of the stipulated amount at the time of final discharge or ultimate relief from active duty, or, at his option, at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in the Regular Army; and the remaining amount of such payment will be paid in two equal installments, 1 month and 2 months, respectively, from the date of the original payment.
- (2) Each member eligible to receive mustering-out payment under paragraph (a) (2) of this section, will receive one-half of the stipulated amount at the time of final discharge or ultimate relief from active duty, or at his option, at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in the Regular Army; and the remaining amount of such payment will be paid 1 month from the date of the original payment.

(3) Each member eligible to receive mustering-out payment under paragraph(a) (3) of this section, will receive the stipulated amount at the time of such discharge or relief from active duty, or at his option, at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in the Regular Army.

(4) A member entitled to receive the first installment of the mustering-out payment at the time of discharge for the purpose of enlistment, reenlistment, or apointment in the Regular Army, or upon extending his enlistment for a period of less than 1 year, may receive at his election the whole or such payment in one lump-sum, rather than in installments.

(c) Limitation on number of payments. No member of the Armed Forces will receive mustering-out payments more than once under each provision of law.

(d) Time of payment. Mustering-out payment will accrue and be computed as of the time of discharge for the purpose of effecting a permanent separation from the service or of ultimate relief from active duty, or, at the option of the member concerned, for the purpose of enlistment, reenlistment, or appointment in the Regular Army. Payment may also be made to an enlisted member of the Regular Army who, on expiration of enlistment, extends his enlistment for a period of less than 1 year, pursuant to section 2, act of July 12, 1955 (69 Stat. 299). Such a member is regarded as having been discharged and reenlisted for entitlement purposes. However, payment may not be made upon extension of an enlistment for a period of 1 year or longer under the other provisions of law. See 36 Comp. Gen. 727.

§ 536.77 Payments to survivors.

- (a) General. (1) If any member of the Armed Forces, after his discharge or relief from active duty, dies before receiving the full amount of the mustering-out payment to which he is entitled, the balance of the amount due him will be payable, upon appropriate application, to his surviving dependents in the following order:
- (i) Spouse, if any.(ii) If no spouse, in equal shares to child or children, if any.
- (iii) If no spouse or children, in equal shares to parents, if any.

No such payments under the acts cited in § 536.71(a) may be made to any other

- (2) The term "balance of amount due" used in subparagraph (1) of this paragraph refers to the full sum remaining unpaid to the veteran at the time of his death. Such sum will be payable to a qualified survivor in a lump sum and not on an installment basis. For example, if a veteran entitled to a mustering-out payment of \$300 dies after receipt of the initial installment of \$100, the sum of \$200 will be payable immediately to the qualified survivor.
- (b) By whom made. All musteringout payments to survivors will be made by the Finance Center, U.S. Army. Original applications for mustering-out payment received from the relative or relatives of a deceased veteran by finance and accounting officers, will be sent to the Settlements Operations, Finance Center, U.S. Army, accompanied by a statement that no payment has been or will be made on behalf of the veteran named therein.
- (c) Necessity for application. No mustering-out payment will be made to any survivor without an appropriate written application therefor.
- (d) Payees—(1) Spouse. Musteringout payment will be made to the surviving spouse of a deceased veteran, who is otherwise entitled thereto.
- (2) Child or children. (i) Musteringout payment will be made to the surviving child (or children) of a deceased

veteran who is otherwise entitled thereto, only if the veteran is not survived by a spouse.

(ii) Where payments are to be made to two or more children, separate checks in their proportionate shares will be drawn in favor of each child or the guardian or committee of such child, if appropriate.

(3) Parent or parents. (i) Musteringout payment will be made to the surviving parent(s) of a deceased veteran who is otherwise entitled thereto, only if the veteran is survived by neither spouse or child.

(ii) Where both natural parents survive the veteran, and are otherwise entitled to mustering-out payment, each parent will be entitled to one-half the amount payable irrespective of his or her marital status. Where payments to two parents are to be made, separate checks will be drawn in favor of each parent (or guardian or committee of such parent, if appropriate).

(iii) Where only one natural parent survives the veteran, and is otherwise entitled to mustering-out payment, that parent will receive the full amount payable irrespective of his or her marital status and irrespective of the survivor-

ship of possible stepparents.

(iv) Where both natural parents predecease the veteran and stepparents survive the veteran, such stepparents will be entitled to share equally in the amount payable only if the relationship of stepparent has not been terminated by divorce or remarriage, and they are otherwise entitled to mustering-out payment. If only one stepparent survives the veteran, he or she will be entitled to the full amount payable.

(v) Natural parents of the veteran are not entitled to mustering-out payment where the veteran has been legally adopted prior to his death. Payments may be made to stepparents where natural parents are deceased, and to adoptive parents even though natural parents may be living, if otherwise entitled. Persons who stood in loco parentis to the deceased veteran are not entitled to mustering-out payments.

- (4) Payments to guardians and committees of survivors. Where a survivor otherwise entitled to mustering-out payment is prevented from applying for or receiving such payment because of minority (i.e., under 17 years of age) or mental incompetency, an application may be received from and payment made to the guardian or committee of such survivor. In such cases the check covering the payment will name the payee in the following manner: "Richard Roe, Guardian for (name of survivor)," or "Richard Roe, Committee for (name of survivor)." All mustering-out payments to guardians and committees of survivors will be made by the Finance Center, U.S. Army.
- (5) Payments to selected persons for use and benefit of mentally incompetent or minor survivors. (1) Where no legal guardian or committee has been appointed, and where the otherwise qualified survivor is under 17 years of age, payment is authorized to be made to a person selected under § 536.71 (c) and

(d) for the use and benefit of otherwise qualified mentally incompetent or minor survivors.

(ii) Such payments will be made without a statement executed and signed by the person selected to receive the payment that the proceeds of the payment will be used for the exclusive benefit of the survivor. This statement will be supported by such additional evidence as the selecting officer may require. In such cases, the check covering the payment will name the payee as follows: "Richard Roe, for the use and benefit of (name of survivor)."

(6) Payments to personal representatives. No mustering-out payment will be made to the executor, administrator, or other person representing the veteran or any survivor, except as provided in subparagraph (4) of this paragraph.

§ 536.78 Payments to or on behalf of members discharged as mentally in-

(a) By whom made—(1) Finance and accounting officer. The finance and accounting officer making final payment of pay and allowances will make musteringout payments to or on behalf of those members discharged as mentally incompetent in accordance with paragraph (b) of this section.

(2) Finance Center, U.S. Army. Mustering-out payments on behalf of any member discharged as mentally incompetent who, in the opinion of the examining physician, is incapable of managing his own personal affairs and where no legal guardian or committee has been appointed, will be made only by the Finance Center, U.S. Army. Claims for such payment will be forwarded to the Settlements Operations, Finance Center, U.S. Army.

(b) To whom payable—(1) To veteran. Mustering-out payments due members discharged as mentally incompetent will be made to the veteran himself, provided that:

(i) A committee, guardian, or other legal representative has not been appointed in judicial proceedings.

(ii) Such appointment is not contem-

plated.

(iii) The statement of a physician (paragraph (c)(1) of this section) is furnished.

(2) To other(s) on behalf of veteran. Mustering-out payments on behalf of members discharged as mentally incompetent will be made only to the following:

(i) Legally appointed committee. guardian, or other legal representative. of the veteran when he is not mentally competent to sign commercial papers.

(ii) Person or persons designated by the Finance Center, U.S. Army.

(c) Evidence required before payment-(1) Physician's statement. Where payment is to be made to the discharged veteran, a written, dated, and signed statement by a registered practicing physician will be required. It will be to the effect that the veteran is, in the physicians' opinion, mentally able to manage his own personal affairs. (The term "registered practicing physician" includes staff physicians at Government hospitals.)

•(2) Legal papers. Where payment is to be made to the legally appointed committee, guardian, or other legal representative, a copy of the instrument of appointment certified as a true copy by the clerk of the issuing court will be required. Such papers will be attached to the payroll money list on which the first installment of mustering-out pay is reported. On subsequent payments reference will be made to the first installment roll by voucher number, date, and station symbol.

(d) Payments to be made by check. All mustering-out payments under this section will be made by check.

Major General, U.S. Army. The Adjutant General.

[F.R. Doc. 59-8536; Filed, Oct. 9, 1959; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

> APPENDIX-PUBLIC LAND ORDERS [Public Land Order 2005]

[1577089]

FLORIDA

Revoking Executive Order No. 6883 of October 22, 1934

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Executive Order No. 6883 of October 22, 1934, reserving the unappropriated and unreserved public lands within the boundaries of the proposed Everglades National Park, as indicated upon a diagram-annexed to and forming a part of the said order, for classification for the proposed Park, is hereby revoked.

Most of the lands affected by this order are within the Everglades National Park as now established. The remainder are State-owned or have been patented.

> ROGER ERNST. Assistant Secretary of the Interior.

OCTOBER 6, 1959.

[F.R. Doc. 59-8545; Filed, Oct. 9, 1959; 8:46 a.m.]

> [Public Land Order 2006] [Montana 031196]

MONTANA

Withdrawing Lands for Reclamation Purposes (Huntley Irrigation Project)

By virtue of the authority contained in section 3 of the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn in the first form from all forms of appropriation under the public land laws, and reserved under jurisdiction of the Bureau of Reclamation for use in connection with the Huntley Project:

MONTANA PRINCIPAL MERIDIAN

T. 3 N., R. 29 E., Sec. 27, NE1/4 NE1/4 and S1/2 NE1/4. T. 3 N., R. 30 E., Sec. 30, S1/2 SE1/4.

Aggregating 200 acres.

The lands were formerly part of the Crow Indian Reservation, the title of the Tribe having been extinguished pursuant to the Act of August 14, 1958 (72 Stat. 575), excepting title to the minerals which may be leased or otherwise disposed of under the laws and regulations relating to Indian Trust lands.

ROGER ERNST. Assistant Secretary of the Interior.

OCTOBER 6, 1959.

[F.R. Doc. 59-8546; Filed, Oct. 9, 1959; 8:46 a.m.]

Title 46—SHPPING

Chapter II-Federal Maritime Board, Maritime Administration, Department of Commerce

SUBCHAPTER G-EMERGENCY OPERATIONS

[General Order 82, Revised]

PART 309-VESSEL VALUES FOR WAR RISK INSURANCE

Part 309 is hereby revised by changing the part heading as set forth above and by changing the existing text to read as follows:

FINDINGS AND SCOPE

Sec. 309.1 Findings.

309.2 Scope.

BASIC VALUES

309.3 Vessels built during or after 1938. 309.4 Vessels built prior to 1938.

GENERAL PROVISIONS

309.5 Adjustments.

309.6 Definitions. 309.7 Modifications.

309.8 Vessel data forms.

AUTHORITY: §§ 309.1 to 309.8 issued under sec. 204, 49 Stat. 1987, as amended, sec. 1209, 64 Stat. 775, as amended, 46 U.S.C. 1114, 1289:

FINDINGS AND SCOPE

§ 309.1 Findings.

The Maritime Administrator has found that the values provided in this part constitute just compensation for the vessels to which they apply, computed in accordance with subsection 902 (a) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1242), pursuant to section 1209 (a), Merchant Marine Act, 1936, as amended (46 U.S.C. 1289 (a)). Public Law 958, 84th Congress, and the authority delegated to the Maritime Administrator by the Secretary of Commerce in section 6.01, subsection 2, paragraph (3) of Department Order No. 117 (Amended) (18 F.R. 5518, September 15, 1953).

§ 309.2 Scope.

(a) Vessels included. This part establishes values for self-propelled ocean-going iron and steel vessels (other than vessels excluded pursuant to paragraph (b) of this section) for which war risk insurance is provided by the Maritime Administrator pursuant to Title XII, Merchant Marine Act, 1936, as basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 1281–1294), Public basic value of the standard type vessel amended (46 U.S.C. 12 Law 763, 81st Congress, Public Law 209, 84th Congress, Public Law 958, 84th Congress. The values established by this part represent the maximum amounts for which the Maritime Administrator will provide war risk hull insurance for damage to or actual or constructive total loss of the vessel and for which claims for damage to or actual or constructive total loss of such insured vessels may be adjusted, comprised, settled, adjudged, or paid, by the Maritime Administrator with respect to insurance attaching on or after July 1, 1959, under the Standard Forms of War Risk Hull Insurance Interim Binder or Policy prescribed by §§ 308.106 and 308.107 of this chapter (General Order 75 (Revised) 22 F.R. 1175, February 28, 1957). Revised values will be prescribed in subsequent revisions of this part, which are expected to be issued at least every six months. The latest published values will remain in effect until new ones are published.

(b) Vessels excluded. The values established pursuant to this part do not apply to passenger vessels, lumber schooners, car ferries, seatrains, cable ships, bulk cement and ore carriers other than colliers built prior to 1938. vessels operated on the Great Lakes and inland waterways, fully refrigerated vessels, vessels of less than 1,500 gross tons, or any other vessels or class of vessels to which the Maritime Administrator finds that the provisions of this part would not be appropriate. Values for vessels exempted from this part shall be specially determined by the Maritime Administrator and published as appendixes to this part.

(c) Fuel, stores, and supplies. Values for fuel, stores and supplies will be prescribed at a later date.

BASIC VALUES

§ 309.3 Vessels built during or after 1938.

- (a) Basic values. The values of vessels built during or after 1938 shall be determined in accordance with this section, subject to the applicable adjustments provided in § 309.5.
- (b) War-built vessels. (1) The values of the standard types of war-built vessels listed herein (which the Administrator has determined represent the domestic market values) are as follows:

Standard-type vessel:	Value
EC2-S-C1	\$350,000
EC2-S-AW1	550,000
VC2-S-AP2	750,000
C1-MT-BU1	270,000
C1-M-AV1	425,000
C1-A & B (Steam)	550,000
C2-S-B1	900,000
C3-S-A2	1, 100, 000
C4-S-A4 & B5	
Z-ET1-S-C3	
T1-M-BT	425,000

standard-type vessel—Continued	Value
T2-SE-A1	\$575,000
T3-S-A1	600,000
T3-S-BZ1	1,250,000
R1-M-AV3	515,000
N3-M-AV1	270,000

(2) The values of the standard subtypes of war-built vessels listed herein shall be determined by multiplying the basic value of the standard type vessel the subtype in the following table:

Subtype:	Factor
VC2-S-AP3	113%VC2-S-AP2.
VC2-M-AP4	78%VC2-S-AP2.
C1-M-AV6	_ 100%-C1-M-AV1.
C1-M-AV8	_ 100%C1-M-AV1.
C1-A (Diesel) 85	
C1-B (Diesel) 8	
C2-S-A1	81%-C2-S-B1.
C2-S-AJ1	100%—C2-S-B1.
	110%—C2-S-B1.
C2-S-AJ3	
C2-S-AJ5	
C2-Cargo	100%—C2-S-B1.
C2-S-E1	
C2-F	
C2-S	
C2-SU	
C2-T	
C3-Cargo	
C3-S-A1	
C3-S-A3	
C3-S-A4	
C3-S-A5	
C3-E	
C3-M	
C3-S-BH1	
C3-S-BH2	
T1-M-BT1	
T1-M-BT2	
T2-SE-A2	
T2-SE-A3	
T2	
T3-M-AZ1	
T3-S-BF1	
	**
(c) Other nessels. T	The value of a veg-

(c) Other vessels. The value of a vessel built during or after 1938 which is not included in paragraph (b) of this section shall be the current domestic market value as determined by the Maritime Administrator.

§ 309.4 Vessels built prior to 1933.

The basic values of vessels built prior to 1938 shall be as follows, subject to applicable adjustments provided in § 309.5:

- (a) For dry cargo vessels, \$7.50 per deadweight ton:
- (b) For tank vessels, \$7.00 per deadweight ton:
- (c) For collier vessels, \$7.50 per deadweight ton.

GENERAL PROVISIONS

§ 309.5 Adjustments for condition, equipment and other considerations.

The basic values provided in § 309.3 shall be adjusted for individual vessels to the extent provided in paragraphs (a) to (d) of this section. The basic values provided in § 309.4 shall be adjusted for individual vessels to the extent provided in paragraphs (a) to (f) of this

(a) Adjustment for a vessel of sub-andard condition. If the Maritime standard condition. If the Maritime Administrator is of the opinion that a vessel is not in class or is in substandard condition for a vessel of her type or subtype and age, there shall be subtracted from the basic value of such vessel, as

determined pursuant to \$\$ 309.3 and 309.4. the amount estimated by the Administrator as the cost of putting the vessel in class or the amount estimated by the Administrator as the difference in value of the substandard vessel and a vessel in standard condition.

(b) Special equipment. For any special equipment of material utility in the handling of cargo or utilization of the vessel, not otherwise included in determining the basic value pursuant to \$ 309.3 or \$ 309.4, if the depreciated reproduction cost less construction subsidy, if any, of all such special equipment is in excess of \$50,000.00, an allowance in such amount as the Maritime Administrator shall determine to be fair and reasonable value of such equipment less construction-differential subsidy thereon, shall be added to the basic value.

(c) Government installations. The values provided by this part shall not include any allowance for any special installations or equipment to the extent that their cost was borne by the United States.

(d) Construction subsidized vessel. In the case of a construction subsidized vessel, for the period of insurance prior to requisition for title or use the valuation determined in accordance with § 309.3 shall be reduced by such proportion as the amount of construction subsidy paid with respect to the vessel bears to the entire construction cost and capital improvements thereof (excluding the cost of national defense features), and for the period of insurance after requisition for use the valuation determined in accordance with § 309 3 shall not exceed the amount which would be payable under section 802 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1211), in the case of requisition for title or use.

(e) Speed. The basic values determined pursuant to \$309.4 for vessels built prior to 1938 shall be adjusted as provided in subparagraph (1) or (2) of this paragraph.

(1) Allowance for speed of more than 11 knots. For vessels having a speed of more than 11 knots, there shall be added to the basic values provided in § 309.4 \$0.15 per deadweight ton for each knot thereof in excess of 11 knots (fractions of knots to be prorated to the nearest

1/4). (2) Deduction for speeds of less than 9 knots. For vessels having a speed of less than 9 knots, there shall be deducted from the basic values provided in § 309.4, \$0.15 per deadweight ton for each knot thereof less than 9 knots (fractions of knots to be prorated to the nearest 1/4).

(f) Refrigeration. (1) The basic values determined pursuant to \$309.4 shall be adjusted for refrigerated space as provided in this paragraph, subject to the limitation provided in paragraph (c) of this section.

(2) The net cubic capacity of each separately insulated refrigerated compartment of the vessel, exclusive of any refrigerated space ordinarily required for vessel's stores, shall be computed, and the total cubic capacity of all such compartments shall then be ascertained.

(3) The number of net cubic feet of the sum of all refrigerated compartments of the vessel, exclusive of the refrigerated space ordinarily required for the vessel's stores, shall then be multiplied by \$0.05 for vessels built prior to 1938.

\$ 309.6 Definitions.

(a) Date vessel is built. The date a vessel is built is the date upon which the vessel is delivered by the shipbuilder.

(b) Deadweight tonnage. The deadweight tonnage of a vessel means her deadweight capacity established in accordance with normal Summer Freeboard as assigned pursuant to the International Load Line Convention, 1930, and shall be her capacity (in tons of 2,240 pounds) for cargo, fuel, fresh water, spare parts and stores, but exclusive of permanent ballast.

(c) Speed of vessel. The speed of a vessel means the speed determined in accordance with the formulae provided in Part 246 of this chapter (General Order 43, 3d Revision, 24 F.R. 3793, May

12, 1959).

(d) Passenger vessel. A passenger vessel is a ship which carries more than twelve passengers.

(e) Construction subsidized vessel. construction subsidized vessel is a vessel built, reconstructed or reconditioned with the aid of a construction-differential subsidy under title V of the Merchant Marine Act, 1936, as amended, or a vessel sold by the United States which is subject by operation of law or contract to the provisions of section 802 of the Merchant Marine Act, 1936, as amended.

§ 309.7 Modifications.

The Maritime Administrator reserves the right to exempt specific vessels from the scope of this part, or to amend, modify, or terminate the provisions hereof.

§ 309.8 Vessel data forms.

(a) To accompany application for insurance. Each application for war risk hull insurance submitted in accordance with § 308.101 of this chapter (General Order 75 (Revised) 22 F.R. 1175) shall be accompanied by information relating to the vessel for use by the Maritime Administrator in determining the value pursuant to this part. The owner of a vessel for which a war risk hull insurance binder has been issued pursuant to Subpart B of Part 308 of this chapter (General Order 75 (Revised) 22 F.R. 1175) who has not already provided the Maritime Administrator, Washington 25, D.C., with the vessel data required by this section, shall do so by October 31, 1959. The information shall be submitted in duplicate on the applicable form prescribed in this section, copies of which may be obtained from the American War Risk Agency, 99 John Street, New York, New York, or the Secretary, Maritime Administration, Washington 25, D.C.

(b) Vessels of 1,500 gross tons or over-(1) War-built vessels. If the vessel is a standard or subtype war-built vessel listed in § 309.3(b) (1) or (2), vessel data shall be submitted on Form MA-470.

(2) Construction subsidized vessels. If the vessel is a construction subsidized vessel as defined in § 309.6(e) or a vessel for which the purchase price was adjusted under section 9 of the Merchant Ship Sales Act of 1946, vessel data shall be submitted on Form MA-471.

(3) Other vessels built during or after 1938. If the vessel was built during or after 1938, and if it is not included in subparagraph (1) or (2) of this paragraph, vessel data shall be submitted on Form MA-472.

(4) Vessels built prior to 1938. If the vessel is a dry cargo, tank, or collier vessel built prior to 1938, vessel data shall be submitted on Form MA-473.

(5) Vessels not included in this part. If the vessel is 1500 gross tons or more and is excluded from this part by § 309.2 (b), vessel data shall be submitted on Form MA-474.

(c) Vessels of less than 1500 gross tons. If the vessel is of less than 1500 gross tons, vessel data shall be submitted on Form MA-63.

(d) Modifications to vessels. Revised vessel data shall be submitted on the appropriate form prescribed above whenever a vessel undergoes a physical change which increases or decreases its value by five percent or more.

Effective date. The foregoing shall become effective on the date of its publication in the FEDERAL REGISTER.

Note: The record-keeping and reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of

Dated: October 6, 1959.

Clarence G. Morse, Maritime Administrator.

[F.R. Doc. 59-8513; Filed, Oct. 9, 1959; 8:45 a.m.1

Title 50-WILDLIFE

Chapter I—Fish and Wildlife Service. Department of the Interior

PART 31—PACIFIC REGION

Subpart—Fort Peck Game Range, Montana

HUNTING

Basis and purpose. Pursuant to the authority conferred upon the Secretary of the Interior by section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1224; 16 U.S.C. 715i), as amended and supplemented, and acting in accordance with the authority delegated to me by Commissioner's Order No. 4 (22 F.R. 8126), I have determined that the hunting of sheep on the Fort Peck Game Range, Montana, would be consistent with the management of the refuge. .

By Notice of Proposed Rule Making published in the FEDERAL REGISTER of September 5, 1959 (24 F.R. 7203), the public was invited to participate in the adoption of a proposed regulation (conforming substantially with the rule set forth below) which would permit the hunting of sheep on the Fort Peck Game Range by submitting written data, views, or arguments to the Director, Bureau of ton 25, D.C., within a period of 30 days from the date of publication. No comments, suggestions, or objections having been received within the 30-day period, the regulations constituting Part 31 are amended by revising § 31.121 and revoking § 31.122 of Subpart—Fort Peck Game Range, Montana, as follows:

§ 31.121 Deer, elk, and bighorn sheep hunting permitted.

Subject to compliance with the provisions of Parts 18, 20, and 21 of this chapter, deer, elk, and bighorn sheep hunting is permitted on the hereinafter described lands of the Fort Peck Game Range subject to the following conditions, restrictions, and requirements:

(a) Hunting license. A valid State hunting license, if required under State law, will serve as a Federal permit for hunting on that portion of the refuge

opened to hunting.

(b) Entry. Hunters, upon entering or leaving the hunting area, shall report at such checking stations as may be established for the purpose of regulating the hunting.

(c) State laws. Strict compliance with all applicable State laws and regulations is required.

(d) Dogs. Dogs are not permitted on the refuge for use in the hunting of deer. elk, or bighorn sheep.

(e) Seasons. Deer, elk, and bighorn sheep may be hunted during the seasons prescribed by the Montana Fish and Game Department.

(f) Hunting areas. Deer, elk, and bighorn sheep may be taken on such areas of the Fort Peck Game Range as shall be mutually determined after a joint annual examination of the range by representatives of the Bureau of Sport Fisheries and Wildlife and the Montana Fish and Game Department, and which will be suitably posted by the officer in charge.

(Sec. 10, 45 Stat. 1224, as amended; 16 U.S.C.

Although it is the policy of the Department of the Interior that wherever practicable the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003) be observed voluntarily, the imminence of the sheep hunting season in the State of Montana makes more than the publication of the advance notice impracticable. In order to meet this emergency, this regulation shall become effective immediately upon publication in the Federal Register.

Issued at Washington, D.C., and dated October 7, 1959.

> A. V. TUNISON. Acting Director, Bureau of Sport Fisheries and Wildlife.

[F.R. Doc. 59-8566; Filed, Oct. 9, 1959; 8:48 a.m.]

PART 31—PACIFIC REGION

Subpart—Little Pend Oreille National Wildlife Refuge, Washington

HUNTING

Basis and purpose. -Pursuant to the Sport Fisheries and Wildlife, Washing- authority conferred upon the Secretary

of the Interior by section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1224; 16 U.S.C. 715i), as amended and supplemented, and acting in accordance with the authority delegated to me by Commissioner's Order No. 4 (22 F.R. 8126), I have determined that the hunting of deer, bear, and grouse on the Little Pend Oreille National Wildlife Refuge, Washington, would be consistent with the management of the refuge.

By Notice of Proposed Rule Making published in the FEDERAL REGISTER of September 10, 1959 (24 F.R. 7277), the public was invited to participate in the adoption of a proposed regulation (conforming substantially with the rule set forth below) which would permit the hunting of deer, bear, and grouse on the Little Pend Oreille National Wildlife Refuge by submitting written data, views, or arguments to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D.C., within a period of 30 days from the date of publication. No comments, suggestions, or objections having been received within the 30-day period, the regulations constituting Part 31 are amended by revising § 31.177 and revoking §§ 31.178 and 31.179 of Subpart-Little Pend Oreille National Wildlife Refuge, Washington, as follows:

§ 31.177 Deer, bear, and grouse hunting permitted.

Subject to compliance with the provisions of Parts 18 and 21 of this chapter, hunting of deer, bear, and grouse is permitted on the hereinafter described lands of the Little Pend Oreille National Wildlife Refuge subject to the following conditions, restrictions, and requirements:

- (a) State laws. Strict compliance with all applicable State laws and regulations is required.
- (b) Entry. A valid State hunting license, if required under State law, will serve as a Federal permit for hunting on that portion of the refuge opened to hunting.
- (c) Dogs. Dogs are not permitted on the refuge for use in the hunting of deer, bear, or grouse.
- (d) Hunting period. The period of hunting will be in compliance with regulations prescribed by the Washington Fish and Game Commission.
- (e) Hunting area. All of the lands of the Little Pend Oreille National Wildlife Refuge will be opened to the hunting of deer, bear, and grouse.

(Sec. 10, 45 Stat. 1224, as amended; 16 U.S.C. 7151)

Although it is the policy of the Department of the Interior that wherever practicable the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003) be observed voluntarily, the imminence of the deer, bear, and grouse hunting season in the State of Washington makes more than the publication of the advance notice impracticable. In order to meet this emergency, this regulation shall become effective immediately upon publication in the FEDERAL REGIS-TER.

October 9, 1959.

D. H. JANZEN, Director, Bureau of Sports Fisheries and Wildlife.

[F.R. Doc. 59-8567; Filed, Oct. 9, 1959; 8:48 a.m.]

PART 31—PACIFIC REGION

Subpart—McKay Creek National Wildlife Refuge, Oregon

HUNTING AND FISHING

Basis and purpose. Pursuant to the authority conferred upon the Secretary of the Interior by section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1224; 16 U.S.C. 715i), as amended and supplemented, and acting in accordance with the authority delegated to me by Commissioner's Order No. 4 (22 F.R. 8126), I have determined that the hunting of pheasants and fishing on the McKay Creek National Wildlife Refuge, Oregon, would be consistent with the management of the refuge.

By Notice of Proposed Rule Making published in the Federal Register of September 5, 1959 (24 F.R. 7204), the public was invited to participate in the adoption of a proposed regulation (conforming substantially with the rule set forth below) which would permit the hunting of pheasants and fishing on the McKay Creek National Wildlife Refuge by submitting written data, views, or arguments to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D.C., within a period of 30 days from the date of publication. No comments, suggestions, or objections having been received within the 30-day period, the regulations constituting Part 31 are amended by revising §§ 31.221 and 31.222 and revoking §§ 31.223, 31.224, and 31.225 of Subpart-McKay Creek National Wildlife Refuge, Oregon, as follows:

§ 31.221 Fishing permitted.

Subject to compliance with the provisions of Parts 18 and 21 of this chapter, fish may be taken for noncommercial purposes by hook and line only from the waters of the McKay Creek National Wildlife Refuge subject to the following conditions, restrictions, and requirements:

- (a) State laws. Strict compliance with all applicable State laws and regulations is required.
- (b) Entry. A valid State fishing license, if required under State law, will serve as a Federal permit for fishing on the refuge.
- (c) Boats. The use of boats, including motorboats, is permitted for fishing and for pleasure, except water skiing, only during the fishing season.
- (d) Seasons. As prescribed by Oregon Fish and Game Commission, except that fishing will not be permitted on the refuge during the migratory waterfowl hunting season, or from September 16 to April 15 following, or to the opening date

Issued at Washington, D.C., and dated of the State sport fishing season, whichever date shall occur the latest.

§ 31.222 Pheasant hunting permitted.

Subject to compliance with the provisions of Parts 18 and 21 of this chapter, pheasant hunting is permitted on the hereinafter described lands of the McKay Creek National Wildlife Refuge subject to the following conditions, restrictions, and requirements:

(a) State laws. Strict compliance with all applicable State laws and regu-

lations is required.

(b) Entry. A valid State hunting license, if required under State law, will serve as a Federal permit for hunting on that portion of the refuge opened to hunting.

(c) Dogs. Hunting dogs, not to exceed two per hunter, may be used for the purpose of hunting and retrieving, but such dogs shall not be permitted to run at large on the refuge.

(d) Seasons. Pheasant may be hunted during the 1959 season as prescribed by the Oregon State Game Department.

(e) Area. Hunting of ring-necked pheasants is permitted on that portion of the McKay Creek National Wildlife Refuge lying south of the line common to the south boundary of Sections 10 and 11, T. 1 N., R. 32 E.

(Sec. 10, 45 Stat. 1224, as amended; 16 U.S.C.

Although it is the policy of the Department of the Interior that wherever practicable the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003) be observed voluntarily, the imminence of the pheasant hunting season in the State of Oregon makes more than the publication of the advance notice impracticable. In order to meet this emergency, this regulation shall become effective immediately upon publication in the FEDERAL REGISTER.

Issued at Washington, D.C., and dated October 7, 1959.

A. V. TUNISON. Acting Director, Bureau of Sport Fisheries and Wildlife.

[F.R. Doc. 59-8568; Filed, Oct. 9, 1959; 8:48 a.m.1

PART 31—PACIFIC REGION

Subpart—Red Rock Lakes Migratory Waterfowl Refuge, Montana

HUNTING

Basis and purpose. Pursuant to the authority conferred upon the Secretary of the Interior by section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1224; 16 U.S.C. 715i), as amended and supplemented, and acting in accordance with the authority delegated to me by Commissioner's Order No. 4 (22 F.R. 8126), I have determined that the hunting of migratory waterfowl, coots, moose, and antelope on the Red Rock Lakes Migratory Waterfowl Refuge, Montana, would be consistent with the management of the refuge.

By Notice of Proposed Rule Making published in the FEDERAL REGISTER of August 29, 1959 (24 F.R. 7040), the public was invited to participate in the adoption of a proposed regulation (conforming substantially with the rule set forth below) which would permit the hunting of migratory waterfowl, coots, moose, and antelope on the Red Rock Lakes Migratory Waterfowl Refuge by submitting written data, views, or arguments to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D.C., within a period of 30 days from the date of publication. No comments, suggestions, or objections having been received within the 30-day period, the regulations constituting Part 31 are amended by revising §§ 31.281 and 31.282 and adding § 31.283 to Subpart—Red Rock Lakes Migratory Waterfowl Refuge, Montana, as follows:

§ 31.281 Waterfowl (other than snow geese) and coot hunting permitted.

Subject to compliance with the provisions of Parts 6, 18, and 21 of this chapter, waterfowl (other than snow geese) and coot hunting are permitted on the hereinafter described lands and waters of the Red Rock Lakes Migratory Waterfowl Refuge subject to the following conditions, restrictions, and requirements:
(a) State laws. Strict compliance

with all applicable State laws and regu-

lations is required.

- (b) Entry. A valid State hunting license, if required under State law, will serve as a Federal permit for hunting on that portion of the refuge opened to hunting.
- (c) Checking stations. Hunters, upon entering or leaving the hunting area, shall report at such checking stations as may be established for the purpose of regulating the hunting.
- (d) Abandonment of personal property. The abandonment of boats. decoys, or other items of personal property on the public hunting area or elsewhere on the refuge is prohibited: Provided, That boats and trailers may be moored or parked in areas designated for the purpose during the waterfowl hunting season.
- (e) Dogs. Hunting dogs, not to exceed two per hunter, may be used for the purpose of hunting and retrieving, but such dogs shall not be permitted to run at large on the refuge.

(f) Camping. Camping is permitted only in designated areas.

- (g) Boats. The use of boats with motors for the purpose of hunting waterfowl and coots is permitted: Provided, That the use of airthrust motors and scull boats is prohibited.
- (h) Hunting area. That portion of the refuge lying north of the Lakeview-Monida road and west of the line common to sections 34 and 35, T. 13 S., R. 2 W., and sections 2 and 3, 10 and 11, 14 and 15 of T. 14 S., R. 2 W.

§ 31.282 Moose hunting permitted.

Subject to compliance with the provisions of Parts 18 and 21 of this chapter, moose hunting is permitted on the hereinafter described lands of the Red Rock Lakes Migratory Waterfowl Refuge subject to the following conditions, restrictions, and requirements:

(a) Hunting area. Moose hunting will be permitted on the following described lands:

T. 14 S., R. 1 W.

Sec. 1, all south of Elk Springs Creek; Sec. 2, all south of Elk Springs Creek; Sec. 3, all south and east of Elk Springs

Creek; Sec. 10, all east of Elk Springs Creek and

Swan Lake; Sec. 13, N1/2, NW1/4SW1/4, S1/2SW1/4, SW1/4

SE¼; Sec. 14, fractional all;

Sec. 15, fractional all; Sec. 20, SE¼ south of Shambo Creek;

Sec. 21, fractional all; Sec. 22, fractional all;

Sec. 23, fractional all;

Sec. 24, all; Sec. 25, N½, S½SW¼, NE¼SE¼;

Sec. 26, NE14, N1/2NW14, NW1/4SW1/4, S1/2 S½; Sec. 27, N½N½, SW¼NW¼, NW¼SW¼,

S1/2S1/2; Sec. 28, all;

Sec. 29, E1/2, SW1/4;

Sec. 30, lots 9 and 10 (fraction E1/2 SE1/4). T. 13 S., R. 1 E.,

Sec. 1, all S and E of Elk Springs Creek.

(b) State laws. Strict compliance with all applicable State laws and regulations is required.

(c) Entry. A valid State hunting license, if required under State law, will serve as a Federal permit for hunting on that portion of the refuge opened to hunting.

(d) Checking stations. Hunters, upon entering or leaving the hunting area, shall report at such checking stations as may be established for the purpose of regulating the hunting.

(e) Seasons. Moose may be hunted during the season as determined jointly by the Regional Director, Bureau of Sport Fisheries and Wildlife, and the Montana Fish and Game Commission.

(f) Camping. Camping is permitted only in designated areas.

§ 31.283 Antelope hunting permitted.

Subject to compliance with the provisions of Parts 18 and 21 of this chapter, hunting of antelope is permitted on the hereinafter described lands of the Red Rock Lakes Migratory Waterfowl Refuge subject to the following conditions, restrictions, and requirements:

(a) Hunting area. Antelope hunting will be permitted on the following described lands:

T. 13 S., R. 1 W., Sec. 25, all; Sec. 26, all;

Sec. 31, all.

Sec. 27, E1/2; Sec. 34, N1/2 SE1/4;

Sec. 36, all lying north and east of County Road. T. 13 S., R. 1 E.,

(b) State laws. Strict compliance with all applicable State laws and regulations is required.

(c) Entry. A valid State hunting li cense, if required under State law, will serve as a Federal permit for hunting on that portion of the refuge opened to hunting.

(d) Checking stations. Hunters, upon entering or leaving the hunting area, may be established for the purpose of regulating the hunting.

(e) Seasons. Antelope may be hunted during the season as determined jointly by the Regional Director, Bureau of Sport Fisheries and Wildlife, and the Montana Fish and Game Commission.

(f) Camping. Camping is permitted only in designated areas.

(Sec. 10, 54 Stat. 1224, as amended; 16 U.S.C. 7151)

Although it is the policy of the Department of the Interior that wherever practicable the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003) be observed voluntarily, the imminence of the migratory waterfowl, coot, moose, and antelope hunting season in the State of Montana makes more than the publication of the advance notice impracticable. In order to meet this emergency, this regulation shall become effective immediately upon publication in the Federal Register.

Issued at Washington, D.C., and dated October 7, 1959.

A. V. Tunison. Acting Director, Bureau of Sport Fisheries and Wildlife.

[F.R. Doc. 59-8569; Filed, Oct. 9, 1959; 8:48 a.m.]

PART 31—PACIFIC REGION

Subpari-Tule Lake National Wildlife Refuge, California

HUNTING

Basis and purpose. Pursuant to the authority conferred upon the Secretary of the Interior by section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1224; 16 U.S.C. 715i), as amended and supplemented, and acting in accordance with the authority delegated to me by Commissioner's Order No. 4 (22 F.R. 8126), I have determined that the hunting of pheasants on the Tule Lake National Wildlife Refuge, California, would be consistent with the management of the refuge.

By Notice of Proposed Rule Making published in the FEDERAL REGISTER of September 2, 1959 (24 F.R. 7105), the public was invited to participate in the adoption of a proposed regulation (conforming substantially with the rule set forth below) which would permit the hunting of pheasants on the Tule Lake National Wildlife Refuge, California, by submitting written data, views, or arguments to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D.C., within a period of 30 days from the date of publication. No comments, suggestions, or objections having been received within the 30-day period, the regulations constituting Part 1 are amended by adding § 31.351 to Subpart-Tule Lake National Wildlife Refuge, California, as follows:

§ 31.351 Pheasant hunting permitted.

Subject to compliance with the provisions of Parts 18 and 21 of this chapter, shall report at such checking stations as pheasant hunting is permitted on the hereinafter described lands of the Tule Lake National Wildlife Refuge subject to the following conditions, restrictions, and requirements:

(a) State laws. Strict compliance with all applicable State laws and regulations is required.

(b) Entry. A valid State hunting license, if required under State law, will serve as a Federal permit for hunting on that portion of the refuge opened to hunting.

(c) Dogs. Hunting dogs, not to exceed two per hunter, may be used for the purpose of hunting and retrieving, but such dogs shall not be permitted to run at large on the refuge.

(d) Seasons and hunting area. (1) During the period from November 14 to November 29, 1959, both dates inclusive, the hunting of pheasants is permitted on that part of the Tule Lake National Wildlife Refuge lying and being north of the following described line:

Beginning on the east boundary of the refuge at the E1/4 corner of Sec. 20, T. 47 N., R. 5 E., M.D.M., thence west along the center line of secs. 20 and 19, T. 47 N., R. 5 E., and the center line of secs. 24, 23, 22, 21, 20, and 19, T. 47 N., R. 4 E., to the point of intersection with the west boundary of the refuge.

(2) On November 14 and 15, 1959, the hunting of pheasants is permitted on

those lands of the refuge commonly known as the Frog Pond and Lower Sump areas of the refuge:

Bounded on the south by the Lava Beds Road, on the east by the refuge boundary, on the north by the center line of secs. 20 and 19, T. 47 N., R. 5 E., and the center line of secs. 23 and 24, T. 47 N., R. 4 E., and on the west by the east dike of the Upper Sump and the west berm of the west dike of the Lower Sump, and on those lands of the refuge commonly known as the Panhandle buffer strip, as posted by the officer in charge, situated west of the west bank of the N Canal in the S1/2 N1/2 sec. 16, T. 46 N., R. 5 E., M.D.M., and east of the west perimeter road around the Panhandle area in the S½N½ sec. 17.

(Sec. 10, 45 Stat. 1224, as amended; 16 U.S.C. 715 1)

In accordance with the requirements imposed by Section 4(c) of the Administrative Procedure Act of June 11, 1946, 60 Stat. 238; 5 U.S.C. 1003(c), the foregoing amendment shall become effective on the 31st day following publication in the FEDERAL REGISTER.

Dated: October 7, 1959.

A. V. TUNISON. Acting Director, Bureau of Sport Fisheries and Wildlife.

[F.R. Doc. 59-8570; Filed, Oct. 9, 1959; 8:48 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Parts 14, 16]

PROCEDURES UNDER ANTIDUMPING ACT OF 1921, AS AMENDED

Notice of Proposed Rule Making

A notice of proposed rule making setting forth certain proposed amendments to regulations under the Antidumping Act, 1921, as amended (19 U.S.C. 160-173) was published in the FEDERAL REG-ISTER for Wednesday, October 22, 1958 (23.F.R. 8127). Comments were invited to be submitted within 30 days after publication. Due to requests for additional time, the period for the submission of comments was extended to February 24, 1959, by notice in the Federal Register for Wednesday, January 28, 1959 (24 F.R. 605).

Numerous comments were received with respect to the proposed amendments. After careful consideration of these comments, a number of changes were incorporated in the proposed regulations, including a definition of the term "circumstances of sale." Such definition contemplates a reasonably direct relationship between the circumstances for which allowance may be made and the sales which are under consideration. At the same time the definition recognizes the principle that since the measurement of value in each of the markets being compared is one of price

rather than cost (except in the unusual case where reference must be made to constructed value) so also the amount of allowance to be made for a circumstance of sale should where possible be judged with relation to its effect on price rather than on the basis of cost (although the two figures may in fact prove to be identical). Therefore, it will ordinarily be appropriate to consider a circumstance of sale with reference to the benefit or detriment to the purchaser rather than with reference to an additional or lessened expenditure on the part of the seller, and the definition so provides.

Notice is hereby given, pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003), that the Customs Regulations (19 CFR Ch. 1) are proposed to be amended as set forth in tentative form below. Prior to the final adoption of such amendments, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Customs, Washington 25, D.C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. No hearings will be held. The proposed amendments are to be issued under the authority of R.S. 161, 251, sec. 407, 42 Stat. 18; 5 U.S.C. 22, 19 U.S.C. 66, 173.

D. B. STRUBINGER, Acting Commissioner of Customs.

Approved: October 2, 1959.

A. GILMORE FLUES.

1. Sections 14.6 through 14.13 are amended to read as follows:

§ 14.6 Suspected dumping.

(a) If any appraiser or other principal customs officer has knowledge of any grounds for a reason to believe or suspect that any merchandise is being, or is likely to be, imported into the United States at a purchase price or exporter's sales price less than the foreign market value (or, in the absence of such value, than the constructed value), as con-templated by section 201(b), Antidump-ing Act, 1921, as amended," or at less than its "fair value" as that term is defined in § 14.7, he shall communicate his belief or suspicion promptly to the Commissioner of Customs. Every such communication shall contain or be accompanied by a statement of substantially the same information as required in paragraph (b) of this section, if in the possession of the appraiser or other officer or readily available to him.

(b) Any person outside the Customs Service who has reason to believe or suspect that merchandise is being, or is likely to be, imported into the United States under such circumstances as to bring it within the purview of the Antidumping Act, 1921, as amended,142 may communicate his belief or suspicion and the reasons therefor in writing to any appraiser of merchandise or the Commissioner of Customs. Every such communication shall contain or be accom-

panied by the following:

(1) A detailed description or sample of the merchandise; the name of the country from which it is being, or is likely to be, imported; and the ports or probable ports of importation into the United States. If no sample is furnished, the appraiser concerned in appropriate cases may call upon the person who furnished the information to furnish samples of the imported and competitive domestic articles, or either.

(2) Such detailed data as to values and prices as is reasonably available to the person furnishing the information and is relied upon by him to support his belief or suspicion, including information as to any differences between the foreign market value or constructed value and the import purchase price or exporter's sales price which may be accounted for by any difference in taxes, discounts, incidental costs such as those for packing or freight, or other items.

(3) Such information as is reasonably available to the person furnishing the information as to the total value and volume of domestic production of the

merchandise in question.

(c) If any information filed with an appraiser or the Commissioner pursuant to paragraph (b) of this section does not conform with the requirements of that paragraph, the communication shall be returned promptly to the person who submitted it with detailed written advice as to the respects in which it does not conform. If such information filed with an appraiser is found to comply with the requirements, it shall be transmitted by the appraiser within 10 days to the Commissioner of Customs, together with all pertinent additional information obtain-Acting Secretary of the Treasury. able by the appraiser. Before making such transmittal, or as soon thereafter as possible, the appraiser shall make such inquiry regarding the matter among importers, domestic producers and distributors, or others as he may deem appropriate and report the results to the Commissioner together with his comments thereon.

(d) (1) Upon receipt pursuant to paragraph (a), (b), or (c) of this section of information in proper form, the Commissioner will proceed promptly to decide whether or not reasonable grounds exist to believe or suspect that the merchandise is being, or is likely to be, sold at less than its foreign market value (or in the absence of such value, than its constructed value). To assist him in making such decision the Commissioner, in his discretion, may conduct a brief preliminary investigation into such matters, in addition to the invoice or other papers or information presented to him, as he may deem necessary.

(2) If the Commissioner decides, after such preliminary investigation, if any, that reasonable grounds do exist to believe or suspect that the merchandise is being, or is likely to be, sold at less than its foreign market value (or, in the absence of such value, than its constructed value) he will thereafter proceed, by a full-scale investigation, or otherwise, to obtain such additional information, if any, as may be necessary to enable the Secretary to reach a determination as

provided by § 14.8(a).

(3) If the Commissioner decides, after such preliminary investigation, if any, that reasonable grounds do not exist to believe or suspect that the merchandise is being, or is likely to be, sold at less than its foreign market value (or, in the absence of such value, than its constructed value), he will thereafter

(i) Proceed, by a full-scale investigation, or otherwise to obtain such additional information, if any, as may be necessary to enable the Secretary to reach a determination as provided by § 14.8(a), or

(ii) Recommend to the Secretary that a full-scale investigation is not warranted by the facts of the case and that the case be closed by a finding of no sales

at less than fair value.

(e) If the Commissioner determines pursuant to paragraph (d)(1) of this section, or in the course of an investigation under paragraph (d)(3)(i) of this section, that there are reasonable grounds to believe or suspect that any merchandise is being, or is likely to be, sold at less than its statutory value under the Antidumping Act, he shall publish notice of that fact in the FEDERAL REGIS-TER, furnishing an adequate description of the merchandise and the name of each country of exportation, and shall advise all appraisers of his action and of the date when the question of dumping was raised by or presented to the Secretary or his delegate. Upon receipt of such advice, the appraisers shall proceed in accordance with the pertinent provisions of § 14.9.

§ 14.7 Fair value.

(a) Definition 15. For the purposes of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)),

the fair value of imported merchandise shall be determined as follows:

(1) Fair value based on price in country of exportation; the usual test. Merchandise imported into the United States will ordinarily be considered to have been sold, or to be likely to be sold, at less than fair value if the purchase price or exporter's sales price (as defined in sections 203 and 204, respectively, of the Antidumping Act, 1921, as amended (19 U.S.C. 162, 163)), as the case may be, is, or is likely to be, less than the price (as defined in section 205, after adjustment as provided for in section 202 of the Antidumping Act, 1921, as amended (19 U.S.C. 164, 161)), at which such or similar merchandise (as defined in section 212(3) of the Antidumping Act, 1921, as amended (19 U.S.C. 170a(3))) is sold for consumption in the country of exportation on or about the date of purchase or agreement to purchase the merchandise imported into the United States if purchase price applies, or on or about the date of exportation thereof if exporter's sales price applies.

(2) Fair value based on sales for exportation to countries other than the United States. If, however, it is demonstrated that during a representative period the quantity of such or similar merchandise sold for consumption in the country of exportation is so small, in relation to the quantity sold for exportation to countries other than the United States, as to be an inadequate basis for comparison, then merchandise imported into the United States will ordinarily be deemed to have been sold, and to be likely to be sold, at less than fair value if the purchase price or the exporter's sales price (as defined in sections 203 and 204, respectively, of the Antidumping Act, 1921, as amended (19 U.S.C. 162, 163)), as the case may be, is, or is likely to be, less than the price (as defined in section 205, after adjustment as provided for in section 202 of the Antidumping Act, 1921, as amended (19 U.S.C. 164, 161)), at which such or similar merchandise (as defined in section 212(3) of the Antidumping Act, 1921, as amended (19 U.S.C. 170a(3))) is sold for exportation to countries other than the United States on or about the date of purchase or agreement to purchase of the merchandise imported into the United States if purchase price applies, or on or about the date of exportation thereof if exporter's sales price applies.

(3) Fair value based on constructed value. If the information available is deemed by the Secretary insufficient or inadequate for a determination under subparagraph (1) or (2) of this paragraph, he will determine fair value on the basis of the constructed value as defined in section 206 of the Antidumping Act, 1921, as amended (19 U.S.C. 165).

(b) Calculation of fair value. In calculating fair value under section 201(a), Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), the following criteria shall be applicable:

In comparing the (1) Quantities. purchase price or exporter's sales price, as the case may be, with the sales, or

other criteria applicable, on which a determination of fair value is to be based, reasonable allowances will be made for any difference in quantities.

(2) Circumstances of sale. In comparing the purchase price or exporter's sales price, as the case may be, with the sales, or other criteria applicable, on which a determination of fair value is to be based, reasonable allowances will be made for any differences in circumstances of sale.

(i) Differences in circumstances sale for which such allowances will be made are limited, in general, to those which create a financial benefit or detriment to a purchaser in one of the markets under consideration and do not create a comparable financial benefit or detriment to a purchaser in the other market under consideration. Examples of differences in circumstances of sale for which reasonable allowances generally will be made are those involving differences in credit terms, guarantees, warranties, technical assistance, servicing, assumption by a seller of a purchaser's advertising or other selling costs, and any terms agreed upon between a seller and a purchaser in the contract of sale or the negotiations concerning the sale. Reasonable allowances will also generally be made for differences in commissions. Allowances as differences in circumstances of sale generally will not be made for differences in research and development costs, production costs, and advertising and other selling costs of a seller unless such costs are attributable to a later sale of merchandise by a purchaser, provided that reasonable allowances for selling expenses generally will be made in cases where a reasonable allowance is made for commissions in one of the markets under consideration and no commission is paid in the other market under consideration, the amount of such allowance being limited to the actual selling expense incurred in the one market or the total amount of the commission allowed in such other market, whichever is the lesser.

(ii) In determining the amount of the reasonable allowances for any differences in circumstances of sale, the Secretary will be guided primarily by the effect of such differences upon the market value of the merchandise but. where appropriate, may also consider the cost of such differences to the seller, as contributing to an estimate of market value.

(3) Similar merchandise. In comparing the purchase price or exporter's sales price, as the case may be, with the selling price in the home market, or for exportation to countries other than the United States, in the case of similar merchandise described in subdivisions (C), (D), (E), or (F) of section 212(3), Antidumping Act, 1921, as amended (19 U.S.C. 170a(3)), due allowance shall be made for differences in cost of manufacture.

(4) Offering price. In the determination of fair value, offers will be considered in the absence of sales.

(5) Sales agency. If such or similar merchandise is sold or, in the absence of sales, offered for sale through a sales agency or other organization related to

the seller in any of the respects described in section 207 of the Antidumping Act, 1921, as amended (19 U.S.C. 166), the price at which such or similar merchandise is sold or, in the absence of sales, offered for sale by such sales agency or other organization may be used in the determination of fair value.

(6) Fictitious sales. In the determination of fair value, no pretended sale or offer for sale, and no sale or offer for sale intended to establish a fictitious market, shall be taken into account.

(7) Sales at varying prices. Where the prices in the sales which are being examined for a determination of fair value vary (after allowances provided for in subparagraphs (1), (2), and (3) of this paragraph), determination of fair value will take into account the prices of a preponderance of the merchandise thus sold, weighted averages of the prices of the merchandise thus sold, or any other available criteria that the Secretary may deem reasonable.

(8) Quantities involved and differences in price. Merchandise will not be deemed to have been sold at less than fair value unless the quantity involved in the sale or sales to the United States, or the difference between the purchase price or exporter's sales price, as the case may be, and the fair value, is more than insignificant.

(Sec. 407, 42 Stat. 18; 19 U.S.C. 173)

§ 14.8 Determination of fact or likelihood of sales at less than fair value; determination of injury; finding of dumping.

(a) Upon receipt from the Commissioner of Customs of the information referred to in § 14.6(d), the Secretary of the Treasury will proceed as promptly as possible to determine whether the merchandise in question is in fact being, or is likely to be, sold in the United States or elsewhere at less than its fair value. If the determination is affirmative, the Secretary will advise the United States Tariff Commission accordingly.

(b) If the Tariff Commission determines that there is, or is likely to be, the injury contemplated by the statute, the Secretary of the Treasury will make the finding contemplated by section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), with respect to the involved merchandise.

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C.-160, 173)

§ 14.9 Action by the appraiser.

(a) Upon receipt of advice from the Commissioner of Customs pursuant to § 14.6(e), the appraiser shall withhold appraisement as to such merchandise entered, or withdrawn from warehouse, for consumption, not more than 120 days before the question of dumping was raised by or presented to the Secretary of the Treasury or his delegate and shall notify the collector and importer immediately of each lot of merchandise with respect to which appraisement is so withheld. Upon advice of a finding made in accordance with § 14.8(b), the appraiser shall give immediate notice thereof to the collector and the importer when any shipment subject thereto is

imported after the date of the finding and information is not on hand for completion of appraisement of such shipment. Customs Form 6459 shall be used to notify the collector and importer whenever appraisement is withheld under this paragraph.

(b) If, before a finding of dumping has been made, or before a case has been closed without a finding of dumping, the appraiser is satisfied by information furnished by the importer or otherwise that the purchase price or exporter's sales price, in respect of any shipment, is not less than foreign market value (or, in the absence of such value, than the constructed value), he shall so advise the Commissioner and request authorization to proceed with his appraisement of that shipment in the usual manner.

(c) If a finding of dumping has been made, the appraiser shall require the importer or his agent to file a certificate of the importer on the appropriate one of the following forms. A separate certificate shall be required for each shipment.

Form 1.

NONEXPORTER'S CERTIFICATE

ANTIDUMPING ACT, 1921

	FU	/I to O1	
	Da	te	, 19
Re: Entry No.			
Import carrier			
⁻ 19	ii.		
I certify the	at I am not	the expor	rter as de-
fined in section	on 207, Anti	dumping	Act, 1921,
of the mercha	andise cover	ed by the	aforesaid
entry. I furt	her certify	that the	merchan-
dise was	purchased	for in	iportation
by	on	, 19,	and that
the purchase	price is	•	
Sig	ned)		

Form 2.

EXPORTER'S CERTIFICATE WHEN SALES PRICE IS KNOWN

ANTIDUMPING ACT, 1921

	Port of	
	Date	
Re: Entry No		
Import carrier:		
10		

I certify that I am the exporter as defined in section 207, Antidumping Act, 1921, of the merchandise covered by the aforesaid entry; that the merchandise is sold or agreed to be sold at the price stated in the attached statement; and that, if any of such merchandise is actually sold at any price different from the price stated therefor in the attached statement, I will immediately notify the appraiser of all the circumstances.

The merchandise was acquired by me in the following manner:

when any shipment subject thereto is I certify that I am the exporter as defined in section 207, Antidumping Act, 1921, of the

merchandise covered by the aforesald entry, and that I have no knowledge as to any price at which such merchandise will be sold in the United States. I hereby agree that I will keep a record of the sales and will furnish the appraiser within 30 days after the sale of any of such merchandise a statement of each selling price. I further agree that, if any of the merchandise has not been sold before the expiration of 6 months from the date of entry, I will so report to the appraiser upon such expiration date.

The merchandise was acquired by me in the following manner;

(Signed)	

Form 4

EXPORTER'S CERTIFICATE WHEN MERCHANDISE IS NOT, AND WILL NOT BE, SOLD

ANTIDUMPING ACT, 1921

	Port or	
	Date	19
Re: Entry No		
Import carrier:	Arrived	
¹ 9		-

I certify that I am the exporter as defined in section 207, Antidumping Act, 1921, of the merchandise covered by the aforesaid entry, and that such merchandise has not been, and will not be, sold in the United States for the following reason:

(Signed)

(d) If an unqualified certificate on Form 4 is filed and the appraiser is satisfied that no evidence can be obtained to contradict it, he shall notify the collector promptly that the shipment will be appraised without regard to the Antidumping Act and proceed to appraise the merchandise in the usual manner.

(e) If the importer fails to file an appropriate certificate within 30 days following notification by the appraiser that a certificate is required under paragraph (c) of this section, the appraiser shall proceed upon the basis of the best information available.

(Secs. 201, 202, 208, 407, 42 Stat. 11, as amended, 14, 18, sec. 486, 46 Stat. 725, as amended, 19 U.S.C. 160, 161, 167, 173, 1486)

§ 14.10 Release of merchandise; bond.

- (a) When the collector has received a notice of withheld appraisement provided for in § 14.9(a), or when he has been advised of a finding provided for in § 14.8(b), and so long as such notice or finding is in effect, he shall withhold release of any merchandise of a class or kind covered by such notice or finding which is then in his custody or is thereafter imported, unless an appropriate bond is filed or is on file, as specified hereafter in this section, or unless he is advised by the appraiser that the merchandise covered by a specified entry will be appraised without regard to the Antidumping Act.
- (b) If the merchandise is of a class or kind covered by a notice of withheld appraisement provided for in § 14.9(a) or by a finding provided for in § 14.8(b), a single consumption entry bond covering the shipment, in addition to any other required bond, shall be furnished by the person making the entry or withdrawal, unless
- (1) A bond is required under paragraph (c) of this section, or
- (2) In cases in which there is no such requirement the collector is satisfied that

the bond under which the entry was filed is sufficient. The penalty of any additional bond required under this subsection shall be in such amount as will assure payment of any special duty that may accrue by reason of the Antidumping Act, but in no case less than \$100.

(c) If the merchandise is of a class or kind covered by a finding provided for in § 14.8(b) and the importer or his agent has filed a certificate on Form 3 (§ 14.9(c)), the bond required by section 208 of the Antidumping Act, 1921, as amended (19 U.S.C. 167), shall be on customs Form 7591. In such case, a separate bond shall be required for each entry or withdrawal, and such bond shall be in addition to any other bond required by law or regulation. The record of sales required under the conditions of the bond on customs Form 7591 shall identify the entry covering the merchandise and show the name and address of each purchaser, each selling price, and the date of each sale. The penalty of such bond shall be in an amount equal to the estimated value of the merchandise covered by the finding. (Secs. 208, 407, 42 Stat. 14, 18; 19 U.S.C. 167,

§ 14.11 Conversion of currencies.

In determining the existence and amount of any difference between the purchase price or exporter's sales price and the foreign market value (or, in the absence of such value, the constructed value) for the purposes of section 201(b) or 202(a) of the Antidumping Act. 1921. as amended, any necessary conversion of a foreign currency into its equivalent in United States currency shall be made in accordance with the provisions of section 522, Tariff Act of 1930 (31 U.S.C. 372), (a) as of the date of purchase or agreement to purchase, if the purchase price is an element of comparison, or (b) as of the date of exportation, if the exporter's sales price is an element of comparison.

(Secs. 201, 202, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 161, 173)

§ 14.12 Modification or revocation of finding.

An application for the modification or revocation of any finding made as provided for in § 14.8(b) will receive due consideration if submitted in writing to the Commissioner of Customs together with detailed information concerning any change in circumstances or practice which has obtained for a substantial period of time, or other reasons, which the applicant believes will establish that the basis for the finding no longer exists with respect to all or any part of the merchandise covered thereby. Notice of intent to modify or revoke a finding will be published by the Secretary in the FEDERAL REGISTER. Comments received from interested parties within 30 days following date of publication will be given consideration.

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173)

§ 14.13 Publication of findings.

(a) Each determination made in accordance with § 14.8(a), whether such

determination is in the affirmative or in the negative, and each finding made in accordance with § 14.8(b), will be published in the Federal Register, together with a statement of the reasons therefor. Findings made in accordance with § 14.8 (b) will be published also in a weekly issue of the Treasury Decisions.

(b) The following findings of dumping are currently in effect:

Merchandise	Country	T.D.	Modi- fied by—
Hardboard	Sweden United Kingdom.	53567 53934	54163 54199

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173)

2. Footnotes 14, 14a, and 14 are amended to read as follows:

"See footnote 14a".

Ma Recites the Antidumping Act, 1921, as amended, in its entirety; in addition, the following notations immediately follow section 212:

SEC. 406. That when used in Title II * * * —

The term "person" includes individuals, partnerships, corporations, and associations;

The term "United States" includes all Territories and possessions subject to the jurisdiction of the United States, except the Virgin Islands, the islands of Guam and Tutuila, and the Canal Zone.

SEC. 407. That the Secretary shall make rules and regulations necessary for the enforcement of this Act. (Antidumping Act, 1921, as amended; 19 U.S.C. 160-173.)

¹⁵ The definition of fair value does not in any way modify or affect definitions of foreign market value given in section 205 of the Antidumping Act, 1921, as amended (19 U.S.C. 164), or of constructed value given in section 206 (19 U.S.C. 165) or the application of a foreign market value (or, in the absence of such value, constructed value) as defined in the Antidumping Act, 1921, as amended, as a basis for determining whether or not to withhold appraisement under section 201(b) (19 U.S.C. 160(b)) or for imposition of duty under section 202 (19 U.S.C. 161).

An industry in the United States which considers that it is being injured by sales of merchandise at less than fair value will ordinarily have insufficient information on which to submit proof either of fair value as herein defined, or foreign market value or constructed value as defined in said sections 205 and 206 (19 U.S.C. 164 and 165). The industry may, however, submit, and appraisers will consider, such material as is available to it, including information indicating the market price for similar merchandise in the country of exportation and in any third countries in which merchandise of the producer complained of is known to be sold. Information submitted by an in-dustry and information submitted by the foreign producer and others will be of value in assisting the Treasury to establish the basis for fair value, foreign market value, or constructed value.

Fair value is computed on the basis of sales for consumption in the country of exportation or for exportation otherwise than to the United States at or about the date of the purchase or agreement to purchase of the merchandise to be imported into the United States, or the date of exportation. However, in cases where it may be important to deter-

mine either the stability of the market or its trend, as well as to determine whether there has been a fictitious sale as described in § 14.7(b) (6) of these regulations, it will be helpful to the Secretary to have information as to sales made for consumption in the country of exportation or for exportation otherwise than to the United States over a significant period of time immediately preceding the date of purchase or agreement to purchase, or exportation.

EXAMPLES FOR PURPOSES OF ILLUSTRATION

A few examples of what would and what would not be considered sales at less than fair value are given below. Unless otherwise indicated, it is assumed that individual sales are in the same average quantities and that they are also made under the same circumstances of sale.

It must be understood that these examples of necessity oversimplify for purposes of illustration. Each actual case of alleged sales at less than fair value must be considered in the light of all relevant facts, and it may be seldom that cases will be presented for consideration which are as free of complications as are the cases cited in these examples. The tentative conclusions set forth below cannot, therefore, be considered as decisions which are binding upon the Secretary of the Treasury. They are in particular subject to the qualification that there may be other factors present, not here stated, or not sufficiently emphasized for the purposes of an actual case, which would lead to different or opposite results.

As is the case in respect to other laws administered in whole or in part by him, the Commissioner of Customs stands ready to answer specific inquiries arising under the Antidumping Act, 1921, as amended, which relate to contemplated transactions, to the best of his ability, notably those involving questions as to whether § 14.7(a) (1) or (2) of those regulations applies, and questions as to the method of computation which may be used in connection with paragraph 14.7 (h) (7) hereof

(b) (7) hereof.

Example 1. A foreign producer has made the following sales of a particular product over a representative period:

Sales for consumption in country of exportation 75,000 units @ \$1.00.

Sales for exportation to countries other than the United States 25,000 units @ \$0.85.

Sales to the United States 15,000 units @ \$0.90.

The quantity of sales of this product in the country of exportation, amounting to 75,000 units, is sufficiently large in relation to the total of 25,000 units sold for exportation to countries other than the United States to constitute an adequate basis for comparison with sales to the United States. (See § 14.7(a) (1) and (2) of these regulations.) The price for sale to the United States is less than the price in the country of exportation. The foreign producer is therefore selling in the United States at less than fair value.

Home market sales will form the basis of comparison whether or not they are restricted. This example concerns home market prices which are either free of restrictions or accompanied by restrictions that do not affect the value of the merchandise. If there should be restrictions which affect the value of the merchandise, appropriate adjustment of the home market price will be made. Third country prices, even though unrestricted, will not be resorted to in this set of circumstances.

Example 2. A foreign producer has made the following sales of a particular product:

Sales for consumption in country of exportation 25,000 units @ \$0.95.

Sales for exportation to countries other than the United States 75,000 units @ \$0.90.

Sales to the United States 15,000 units @ 80.90.

The foreign producer can show that the quantity of sales of this product in the country of exportation, amounting to 25,000 units, is so small in relation to the total of 75,000 units sold for exportation to countries other than the United States, as to be an inadequate basis for comparison with sales to the United States. Determina-tion of fair value will therefore be based on the selling price for exportation to countries other than the United States, pursuant to § 14.7(a) (2) of these regulations. In the absence of special circumstances, it would appear that the sales for exportation to the United States were not below fair value.

Third country sales will form the basis of comparison whether or not they are restricted. This example concerns third country sales which are either free of restrictions or accompanied by restrictions which do not affect the value of the merchandise. If there should be restrictions which affect the value of the merchandise, appropriate adjustment of the third country price will be made. Home market prices, even though unrestricted, will not be resorted to in this set of circumstances.

Example 3. A foreign producer has sold his merchandise for consumption in the country of exportation at or about the date of the sale or exportation to the United States at the following prices:

2,000 tons @ \$32.80 ton. 1,000 tons @ \$32.85 ton.

2,000 tons @ \$33.00 ton.

1,000 tons @ \$33.10 ton.
It is conceded that the price depends upon the bargaining of the parties rather than upon quantity purchased. Sales to the United States have been made by this supplier in the same average quantities at a uniform price of \$32.90 per ton during the period. The difference in price between the producer's home market sales or any average thereof and his sales to the United States is so slight that it will not be regarded as more than insignificant unless unusual market conditions in the United States or the quantities involved as compared to United States production justify a contrary conclusion.

Example 4. A foreign producer makes all of his sales, other than those to the United States, for consumption in the country of exportation. The majority of the merchandise thus sold by him is sold at list prices, net. However, a discount of 5 percent is granted on sales of more than 500 tons. Sales to the United States are at list prices less 10 percent and have been in quantities of 10,000 tons or more. There have been no other sales by this producer in such quantities. However, the 10 percent discount is determined to be reasonable in the particular trade under consideration for the quantities involved and is allowed in calculating home market price. Accordingly, the sales will not be considered to have been made at less than fair value.

The same result could obtain if the pricing pattern showed a differential because of quantity even though there were no list prices, or the list prices did not specify quantity discounts. This is shown in Example 5.

Example 5. A foreign producer has the following record of sales at or about the date of sale or exportation to the United States:

Sales for consumption in country of exportation

Quantity for each sale

Sales to United States 100,000 lbs. @ \$0.80_____ Units of 1,000 lbs.

Quantity for each sale

Although the preponderance of sales during the period (200,000 lbs.) were at a price of \$.85 as opposed to the United States price of \$.80, the lower United States price is justifled on the ground that the home price pattern shows that to be the prevailing price for units of 1,000 pounds, which were the units involved in the United States sales. On the other hand, if the record of sales were to show 100,000 pounds sold for consumption in the country of exportation in units of 1,000 pounds at \$.85 instead of \$.80, the sales to the United States would be deemed to have been made at less than fair

Example 6. A foreign producer sells for consumption in the country of exportation at \$12 a unit, regardless of quantities and regardless of whether the sales are to wholesalers or retailers. He sells to retail pur-chasers in the United States at \$12 a unit and wholesale purchasers in the United States at \$10 a unit, in each case regardless of quantities.

The circumstances in this case indicate that the foreign producer will be deemed to have been selling to wholesalers in the United States at less than fair value. Should, however, his record of sales for consumption in the country of exportation show that he sells, regardless of quantities, at \$10 a unit to wholesalers and at \$12 a unit to retailers, then, making allowances for the circumstances of sale, the sales in the United States will not be deemed to be sales at less than fair value.

Example 7. A foreign producer sells for consumption in the country of exportation at \$105 a unit, delivered anywhere within the country of exportation. He has no

f.o.b. factory price for home consumption. He sells to the United States f.o.b. factory for \$100 a unit. Evidence indicates that it costs the producer on the average \$.50 a unit to deliver on home consumption sales.

Giving due consideration to the circumstances of sale, the sales to United States purchasers at \$100 a unit will be deemed to be sales at less than fair value. Should the delivery cost on home consumption sales average \$5 a unit instead of \$.50, the sales to United States purchasers at \$100 a unit will not be deemed to be sales at less than fair value.

(Secs. 201-212, 406, 407, 42 Stat. 11, as amended, 12, 13, as amended, 14, 15, as amended, 18; 19 U.S.C. 160-173)

3. Sections 16.21 and 16.22 are amended to read as follows:

§ 16.21 Dumping duty; notice to importer.

(a) Special dumping duty shall be assessed on all importations of merchandise, whether dutiable or free, as to which the Secretary of the Treasury has made public a finding of dumping, entered or withdrawn from warehouse, for consumption, not more than 120 days before the question of dumping was raised by or presented to the Secretary or his delegate, provided the particular importation has not been appraised prior to the publication of such finding, and the appraiser reports that the purchase price or exporter's sales price is

less than the foreign market value or constructed value, as the case may be.16

(b) Before dumping duty is assessed the collector shall notify the importer of the appraiser's report, as in the case of an advance in value. If the importer files an appeal for reappraisement, liquidation shall be suspended until the appeal for reappraisement is finally decided.

(c) If the necessary conditions are present, special dumping duty shall be assessed on samples imported for the purpose of taking orders and making sales in this country.

(Secs. 202, 209, 407, 42 Stat. 11, as amended, 15, 18; 19 U.S.C. 161, 168, 173)

§ 16.22 Method of computing dumping

If it appears that the merchandise has been purchased by a person not the exporter within the meaning of section 207, Antidumping Act, 1921, as amended. the special dumping duty shall equal the difference between the purchase price and the foreign market value on the date of purchase, or, if there is no foreign market value, between the purchase price and the constructed value, any foreign currency involved being converted into United States money as of the date of purchase or agreement to purchase. If it appears that the merchandise is imported by a person who is the exporter within the meaning of such section 207, the special dumping duty shall equal the difference between the exporter's sales price and the foreign market value on the date of exportation, or, if there is no foreign market value, between the exporter's sales price and the constructed value, any foreign currency involved being converted into United States money as of the date of exporta-

(Secs. 202, 207, 42 Stat. 11, as amended, 14, as amended; 19 U.S.C. 161, 166)

For regulations regarding finding of dumping by the Secretary and procedure under the Antidumping Act, 1921, see §§ 14.6-14.13 of this chapter.

The fact that the importer has added on entry the difference between the purchase price or the exporter's sales price and the foreign market value or constructed value and the appraiser has approved the resulting entered value shall not prevent the assessment of the special dumping duty. However, a mere differ-ence between the purchase price or ex-porter's sales price and the foreign market value or constructed value, without a finding by the Secretary of the Treasury, as above referred to, is not sufficient for the assessment of the special dumping duty.

(Secs. 201, 202, 206, 209, 407, 42 Stat. 11, as amended, 13, as amended, 15, as amended, 18; 19 U.S.C. 160, 161, 165, 168, 173)

[F.R. Doc. 59-8522; Filed, Oct. 9, 1959; 8:45 a.m.]

See 14.13 of this chapter.

DEPARTMENT OF HEALTH, EDU-GATION, AND WELFARE

Food and Drug Administration
I 21 CFR Part 120 I

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Notice of Filing of Petition for Establishment of Tolerance for Residues of Ronnel

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d) (1), 68 Stat. 512; 21 U.S.C. 346a (d) (1)), the following notice is issued:

A petition has been filed by The Dow Chemical Company, Midland, Michigan, proposing the establishment of a tolerance of 10 parts per million for residues of ronnel (O,O-dimethyl O-2,4,5-trichlorophenyl phosphorothicate) in or on the fat of meat from cattle, goats, hogs, and sheep.

The analytical methods proposed in the petition for determining residues of ronnel are as follows:

- 1. Cholinesterase method. Ronnel is extracted by acetonitrile from a petro-leum-ether solution of fat. The extract is brominated, and its inhibition of flyhead cholinesterase is measured monometrically using a Warburg apparatus under standard conditions.
- 2. Colorimetric method. Ronnel is extracted from the fat with acetonitrile. After evaporation of the acetonitrile, the ronnel is saponified with methanolic sodium hydroxide, producing 2,4,5-trichlorophenol. The basic solution is acidified; then the 2,4,5-trichlorophenol is steam-distilled, reacted with 4-aminoantipyrine, and determined photometrically as a measure of the ronnel.

Dated: October 5, 1959.

[SEAL] ROBERT S. ROE,
Director, Bureau of Biological
and Physical Sciences.

[F.R. Doc. 59-8565; Filed, Oct. 9, 1959; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 600] .

[Airspace Docket No. 59-WA-166]

FEDERAL AIRWAYS

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.6014 of the regulations of the Administrator, as hereinafter set forth.

VOR Federal airway No. 14 presently extends from Roswell, N. Mex., to Boston, Mass. The Federal Aviation Agency has under consideration modification of the segment of Victor 14 between Albany, N.Y., and Gardner, Mass., by aligning this segment via the intersection of the

Albany VOR 094° and the Gardner VOR 284° radials. This modification would provide lateral separation between Victor 14 and a proposed jet aircraft en route penetration from the Albany VOR to the Westover AFB, Chicopee Falls, Mass.

The control areas associated with Victor 14 are so designated that they will automatically conform to the modified airway. Accordingly, no amendment relating to such control areas is necessary.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica, N.Y. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

In consideration of the foregoing, it is proposed to amend § 600.6014 (14 CFR, 1958 Supp., 600.6014, 23 F.R. 10337, 24 F.R. 702, 1830, 3870) as follows:

In the text of § 600.6014 VOR Federal airway No. 14 (Roswell, N. Mex., to Boston, Mass.), delete "Albany, N.Y., VOR; Gardner, Mass., VOR;" and substitute therefor, "Albany, N.Y., VOR; point of INT of the Albany VOR 094° and the Gardner VOR 284° radials; Gardner, Mass., VOR;".

Issued in Washington, D.C., on October 2, 1959.

D. D. THOMAS, Director, Bureau of Air Traffic Management.

[F.R. Doc. 59-8539; Filed, Oct. 9, 1959; 8:45 a.m.]

I 14 CFR Parts 600, 601] [Airspace Docket No. 59-WA-248]

FEDERAL AIRWAYS AND CONTROL AREAS

Designation

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24

F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Parts 600 and 601 of the regulations of the Administrator, as hereinafter set forth.

The Federal Aviation Agency has under consideration designation of VOR Federal airway No. 481 and its associated control areas, including an east alternate, from the Fargo, N. Dak., VOR to a VOR proposed to be installed approximately November 19, 1959, near Grand Forks, N. Dak., at latitude 47°49′20″, longitude 97°02′00″. The designation of this airway would provide a route for the use of VOR equipped aircraft between these terminals which are presently served only by a low frequency airway. In addition, to provide a bypass route for separating climbing and descending aircraft from aircraft operations on the main airway, it is proposed to designate an east alternate between Fargo and Grand Forks.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within thirty days after publication of this notice in the FEDERAL REG-ISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

In consideration of the foregoing, it is proposed to amend Parts 600 and 601 (14 CFR, 1958 Supp., Parts 600, 601) by adding the following sections:

§ 600.6481 VOR Federal airway No. 481 (Fargo, N. Dak., to Grand Forks, N. Dak.).

From the Fargo, N. Dak., VOR to the Grand Forks, N. Dak., VOR, including an east alternate.

§ 601.6481 VOR Federal airway No. 481 control areas (Fargo, N. Dak., to Grand Forks, N. Dak.).

All of VOR Federal airway No. 481, including an east alternate.

Issued in Washington, D.C., on October 2, 1959.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 59-8540; Filed, Oct. 9, 1959; 8:45 a.m.]

I 14 CFR Part 608]

[Airspace Docket No. 59-KC-44]

RESTRICTED AREAS

Designation of Restricted Area/Military Climb Corridor

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 608 of the regulations of the Administrator, as hereinafter set forth.

The Federal Aviation Agency has under consideration the designation of a Restricted Area/Military Climb Corridor at Richards-Gebaur AFB, Mo. The Military Climb Corridor, designated as a Restricted Area, would confine the high-speed, high rate-of-climb Century series Air Defense aircraft, departing from the AFB on active air defense missions, within a relatively small area. The Restricted Area would provide protection for high speed air defense aircraft and other users of the airspace during the climb phase of the Air Defense aircraft mission. If such action is taken, a Restricted Area/Military Climb Corridor would be designated at Richards-Gebaur AFB, extending along the Richards-Gebaur AFB ILS localizer south course from a point 5 miles south to a point 32 miles south of the airbase. 2 miles wide at the beginning and 4.6 miles wide at the outer extremity. The lower limits in graduated steps would extend from 3,100 feet MSL to 20,100 feet MSL. The upper limit would extend from 16,100 feet MSL to 27,000 feet MSL. Time of use would be continuous. The controlling agency would be the Federal Aviation Agency Radar Facility, Naval Air Station, Olathe, Kansas. The controlling agency would authorize aircraft to operate within the Climb Corridor when not in use by active Air Defense aircraft.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be . submitted in triplicate to the Regional Administrator, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice

in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

In consideration of the foregoing, it is proposed to amend Part 608 (23 F.R. 8575, 8583) as follows:

In § 608.33 Missouri add:

Grandview, Mo., (Richards-Gebaur AFB) Restricted Area/Military Climb Corridor (R-549) (Kansas City Chart).

Description. That area centered on the Richards-Gebaur AFB ILS localizer course, with a width of 2 miles beginning at a point 5 miles south of the airbase and extending to a width of 4.6 miles at 32 miles south of the airbase.

Designated altitude. That area described above shall include the airspace between the following altitudes only:

following altitudes only: 3,100 feet MSL to 16,100 feet MSL from a point 5 miles south of the airbase to a point 6 miles south of the airbase.

3,100 feet MSL to 25,100 feet MSL from a point 5 miles south of the airbase to a point 7 miles south of the airbase.

3,100 feet MSL to 27,000 feet MSL from a point 7 miles south of the airbase to a point 10 miles south of the airbase.

7,100 feet MSL to 27,000 feet MSL from a point 10 miles south of the airbase to a point 15 miles south of the airbase.

11,100 feet MSL to 27,000 feet MSL from a point 15 miles south of the airbase to a point 20 miles south of the airbase.

16,100 feet MSL to 27,000 feet MSL from a point 20 miles south of the airbase to a point 25 miles south of the airbase.

20,100 feet MSL to 27,000 feet MSL from a point 25 miles south of the airbase to a point 32 miles south of the airbase.

Time of designation. Continuous. Controlling Agency. FAA Radar Facility-Olathe Naval Air Station, Olathe, Kans.

Issued in Washington, D.C., on October 2, 1959.

D. D. Thomas, Director, Bureau of Air Traffic Management.

[F.R. Doc. 59-8538; Filed, Oct. 9, 1959; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 257]

UNIFORM SYSTEM OF ACCOUNTS
FOR PUBLIC UTILITY HOLDING
COMPANIES GOVERNING PRESERVATION AND DESTRUCTION OF
BOOKS OF ACCOUNTS AND OTHER
RECORDS OF REGISTERED HOLDING COMPANIES

Notice of Proposed Rule Making

Notice is hereby given that the Securities and Exchange Commission has under

consideration a proposal to revise the Uniform System of Accounts for Public Utility Holding Companies under the Public Utility Holding Company Act of 1935 for the purpose of establishing a regulation to govern the retention, preservation and destruction of the books of account and other records of registered holding companies which are not also operating companies.

The proposal is made pursuant to sections 15 and 20(a) of the Public Utility Holding Company Act of 1935 and Rule 26 promulgated thereunder.

Section 15 provides, among other things, that "Every registered holding company and every subsidiary company thereof shall make, keep, and preserve for such periods, such accounts, cost-accounting procedures, correspondence, memoranda, papers, books, and other records as the Commission deems necessary or appropriate in the public interest or for the protection of investors or consumers or for the enforcement of the provisions of this title or the rules, regulations, or orders thereunder."

Section 15 has been implemented by Rule 26 which prescribes the Uniform System of Accounts for Public Utility Holding Companies under the Public Utility Holding Company Act of 1935 for registered holding companies which do not also operate utility assets or other physical properties. Such registered holding companies presently are forbidden by General Instruction 3C of the Uniform System of Accounts to destroy any books of account or records without first having obtained the consent and approval of the Commission. General Instruction 3B defines the books of account and other records which are governed by the Uniform System of Accounts.

The proposed revision of the Uniform System of Accounts eliminates the prohibition against the destruction of records contained in General Instruction 3C thereof and adds thereto an Appendix which contains general instructions and a detailed schedule prescribing fixed retention periods and microfilming privileges with respect to books of account and other records of those registered holding companies to which the Uniform System of Accounts is applicable. Thus, the proposed revision of the Uniform System of Accounts would permit the orderly destruction of voluminous records, the retention of which is deemed no longer necessary or appropriate in the public interest or for the protection of the interests of investors and consumers.

The Appendix proposed to be added to the Uniform System of Accounts would be entitled, "Regulation to Govern the Preservation and Destruction of Books of Account and Other Records of Companies Which Are Subject to the Uniform System of Accounts for Public Utility Holding Companies Under the Public Utility Holding Company Act of 1935." A copy of the proposed Appendix is attached.

For the purposes of implementing the Regulation contained in the proposed Appendix, the following amendments to the General Instructions of the Uniform System of Accounts also are proposed.

- 1. In General Instruction 3B (§ 257.0-3(b)) insert the words "stockholder records," between the terms "stock books," and "reports".
- 2. Delete the present text of General Instruction 3C (§ 257.0-3(c)) and insert in lieu thereof the following:
- (c) No Company shall destroy any books or records except as authorized by the provisions of the "Regulation to Govern the Preservation and Destruction of Books of Account and Other Records of Companies Which Are Subject to the Uniform System of Accounts for Public Utility Holding Companies Under the Public Utility Holding Company Act of 1935" contained in the Appendix of this Uniform System of Accounts.
- 3. Add the following paragraph to General Instruction 4 (§ 257.0-4(m)):
- (m) "Stockholder records", as used in this Uniform System of Accounts, means all records which are necessary (1) to determine the ownership of record at any time of any shares of the Company's capital stock; and (2) to determine the votes cast on any issue or matter by any stockholder at any meeting of the Company's stockholders.

All interested persons are hereby invited to submit views and comments on the proposed revision of the Uniform System of Accounts for Public Utility Holding Companies Under the Public Utility Holding Company Act of 1935. Such views and comments should be submitted to the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D.C. on or before October 30, 1959.

By the Commission.

[SEAL] ORVAL L. DUBOIS, Secretary.

SEPTEMBER 30, 1959.

APPENDIX—REGULATION TO GOVERN THE PRES-ERVATION AND DESTRUCTION OF BOOKS OF ACCOUNT AND OTHER RECORDS OF COMPANIES WHICH ARE SUBJECT TO THE UNIFORM SYS-TEM OF ACCOUNTS FOR PUBLIC UTILITY HOLD-ING COMPANIES UNDER THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

GENERAL INSTRUCTIONS

1. Scope of regulation. (a) The Regulation To Govern the Preservation and Destruction of Books of Account and Other Records of Companies Which Are Subject to the Uniform System of Accounts for Public Utility Holding Companies Under the Public Utility Holding Company Act of 1935 ("Regulation") includes these General Instructions ("Instructions") and the Schedule of Records Retention Periods ("Schedule"). The term "Company", as used in the Regulation, means any company subject to the Uniform System of Accounts for Public Utility Holding Companies Under the Public Utility Holding Company Act of 1935 ("Uniform System of Accounts"). Wherever used in these Instructions, the terms "Record" or "Records" shall be construed to mean all or any part of the books of account and other records of the Company.

The Regulation applies to all Records of the Company, and to the Records of any predecessor or former associate of the Company which Records are in the possession of or under the control of the Company. (See Item 36 of the Schedule.) For the purposes of the Regulation, any Records prepared or

maintained in behalf of the Company by any stock transfer agent, dividend paying agent, registrar, coupon paying agent, or any other agent which performs corporate functions for the Company shall be deemed to be the Records of the Company.

(b) Except as otherwise specified herein, the Regulation shall not be construed as requiring the preparation or maintenance of Records not required to be prepared or maintained by the Uniform System of Accounts or other rules or regulations of the Commission.

(c) The Regulation shall not be construed as excusing compliance with any other lawful requirement for the preservation of Records for periods longer than those prescribed in the Regulation.

(d) Unless otherwise specified in the Schedule, duplicate copies of Records may be destroyed at any time, provided, however, that such duplicate copies contain no significant information not shown on the originals.

(e) Records not listed in the Schedule and which would not be useful in developing the history of or facts regarding any transactions recorded by the Company in its accounts may be destroyed at the option of the Company.

Records not listed in the Schedule and which would be useful in developing the history of or facts regarding any transactions recorded by the Company in its accounts and which serve purposes similar to or are related to Records listed in the Schedule shall be preserved for the same periods as those specified for the similar or related Records listed in the Schedule.

Any other Records not listed in the Schedule and which would be useful in developing the history of or facts regarding any transactions recorded by the Company in its accounts shall be preserved by the Company for such periods as the Commission may, upon its own motion or upon application by the Company, prescribe.

(f) Notwithstanding the provisions of the Regulation, the Commission may, upon the request of any Company, authorize the destruction of any Records of such Company.

2. Designation of supervisory official. Each Company subject to the Regulation shall designate one or more officials to supervise the perservation and authorized destruction of its Records.

3. Protection and storage of records. The Company shall protect from damage by fire, flood and other hazards the Records required by the Regulation to be preserved and, in the selection of storage space, safeguard such records from unnecessary exposure to deterioration from excessive humidity, dryness, or lack of proper ventilation.

4. Index of records. At each office of the Company, where Records are kept or stored, such Records as are required by the Regulation to be preserved shall be so arranged, filed, or currently indexed that such Records shall be readily available for inspection by authorized representatives of regulatory agencies concerned.

5. Preservation of records on microfilm.
(a) As indicated in the Schedule, certain Records may be microfilmed and the film retained in lieu of the original Records, provided the procedures prescribed in the Regulation are followed.

(b) Indicators are used in the Schedule to designate those Records for which microfilm may be substituted in lieu of the original Records. The indicators, which are listed in the Schedule in the column marked "Microfilm Indicators", are as follows:

M—Indicates that microfilm may be substituted for retention of the original Records at any time after the use of such Records for current recording purposes has been discontinued.

M 20, M 10, etc.—Indicates that microfilm may be substituted for retention of the

original Records at any time after such Records have been retained in their original form for the number of years corresponding to the numeral; i.e., 20 years, 10 years, etc.

ME—Indicates Records for which microfilm may be substituted for retention of the original Records at any time subsequent to the expiration, cancellation, supersedure, or other conditions shown in the column marked "Period of Retention." Thus for Item 7(a) microfilm is not acceptable for current contracts, but is acceptable for expired or cancelled contracts.

(c) Absence of any of the "M" indicators

(c) Absence of any of the "M" indicators explained above indicates that microfilm may not be substituted for retention of the Records described.

(d) Prior to microphotographing, the Records shall be so prepared, arranged, classified, and identified as readily to permit the subsequent location, examination and reproduction of the microphotographs thereof. Any significant characteristic, feature or other attribute of the original Records, which microphotography would not reflect clearly (i.e., that the Record is a copy or that certain figures thereon are red), shall be so indicated where applicable on the pages of such Records at the time of such arrangement, classification, and identification.

(e) Each roll of film shall include a microfilm of a certificate or certificates stating that the microphotographs are direct and facsimile reproductions of the original Records and that they have been made in accordance with the Regulation.

-(f) The photographic matter on each roll shall commence and end with a statement as to the nature and arrangement of the Records reproduced, the name of the photographer, and the date. Rolls of film shall not be cut. Supplemental or retaken film, whether of misplaced or omitted documents, or of portions of a film found to be spoiled or illegible or of other matter, shall be attached to the beginning of the roll, and in such event the aforementioned certificate or certificates shall cover also such supplemental or retaken film and shall state the reasons for retaking such film.

(g) All film stock shall be of approved permanent-record microcopying type, either perforated or unperforated, such as meets the minimum specifications of the National Bureau of Standards. The microphotographing and processing shall be such that the film may be read easily and that reproductions on photographic paper can be made similar in size to the documents reproduced without significant loss of clarity of detail during the periods such records are required by the Regulation to be preserved. The Company shall be prepared to furnish, at its own expense, appropriate standard facilities for reading the microfilm. If the Commission or any other regulatory agency having jurisdiction in respect of such Records so requests, the Company shall furnish at its expense photographic reproductions of any Records, the originals of which have been microfilmed and destroyed pursuant to the provisions of the Regulation.

(h) The microfilm shall be indexed and retained in such manner as will render them readily accessible and identifiable. The film shall be stored in such manner as to provide reasonable protection from hazards such as fire, flood, theft, etc., during the periods such Records are required by the Regulation to be preserved. The film should be cared for in such manner as to prevent cracking, breaking, splitting or otherwise deteriorat-

6. Destruction of records. The destruction of the Records permitted to be destroyed by the provisions of the Regulation may be performed in any manner elected

by the Company. Frecautions should be taken, however, to macerate or otherwise destroy the legibility of Records the content of which is forbidden by law to be divulged to unauthorized persons. **p**e

7. Premature destruction or loss of records. When any Records are destroyed 1 before the expiration of the periods of retention prescribed by the Regulation, a certified statement listing, as far as may be determined, the Records destroyed and describing the circumstances of accidental or other premature destruction shall be filed with the I unauthorized persons.
7. Premature destruction

the date of discovery of such destruction.

Discovery of discovery of such destruction.

B. Sohedule of records retention periods.

R. Schedule of records retention periods.

Julation. The Schedule shows the periods of time that designated Records shall be predimental and the Records for which microfilm within ninety

RECORDS RETENTION PERIODS-Continued

SCHEDULE OF

of the orig-with the be substituted for retention of Records in accordance w Instructions. may

SCHEDULE OF RECORDS RETENTION PERIODS

tors	<u> </u>									e		4,		Z	
Microfilm indicators		M	M	M	¥		×	M	Ä	M-10		×	ZZ		l ME
Period of retention	•	10 years after the stockholder's account is closed 1.	3 years after settlement	7 years after cancellation of certificate. If this record serves the purpose of a capital stock	ledger I(a) is applicable. 7 years after last entry on page or sheet of the record.	Destroy at option	7 years from date of transfer	7 years after cancellation. If this record serves the purpose of a capital stock ledger, I(a) is	Α~	Permanently		6 years after the date thereof	6 years after dividend payment.		3 years after redomption of issue ME
Description of records	Corporate and General	Capital Stock Records: (a) Capital stock ledgers or other records show-	ing the same information. (b) Capital stock subscription accounts, warrants, requests for allotments and other	essential papers related thereto. (o) Stubs or similar records of capital stock certificate issuance where not used as capital	stock ledger record. (d) Stock transfer registers or sheets or similar records.	(a) Papers pertuining to or supporting transfers of oppilal stocks. (d) Papers that are recorded officially in a court, or in the office of some other public.	(2) Papers that have not been recorded as in	(e) (1) above.(f) Cancelled capital stock certificates where not used as capital stock ledger records.	(c) Change of address notices of stockholders (h) Bonds of indemnity and affidavits covering issuances of stock certificates to replace	lost certificates. (f) Letters, notices, reports, statements and other communications distributed to all stockholders of a particular class: (1) Formal communications addressed to all stockholders of a particular class; mouthly stockholders of a particular class, including annual reports to cachiolders, notices of annual reports to cockholders, notices of	holders, and other notices, letters, reports or statements, relating to corporate or	stockholder actions. (2) Interim reports of operations, dividend notices, speeches of corporate officers, notices of change of corporate address or	telephone numbers, etc. (j) Dividend registers, lists or similar records (c) Concolled dividend checks		(a) Registered bond and debenture ledgers

1 For the purposes of the Reculation a stockholder's account may be freuted as a closed account at the time that extra stockholder ceases to be a holder of record of the particular class of stock of the Company and the Dayear refertion period prescribed breein shall run from that dist. If such presen subsequently acquires shares of capital stock
of the Company and thus again becomes a stockholder of the Company, the record of such acquisition shall stock
Alter account is closed as defined in Footnote 1 supra.
The terms" bonds, and "debentures" as used in capitons (a) through (f) of this Item shall include all debt securities, such as bonds, debentures or notes other than debt securities which evidence temperary berrownins and which
securities as described in 2(i) would be notes besued to banks evidencial temperary working cupital and construction
loans and gas storage loans.

	,	-		•										
Microfilm indicators		M	M		¥	¥	Ħ	ME	×	×	×	M-3	M-3	¥
Period of rotention		3 years after sottlement.	3 years after redemption of issue	Destroy at option	7 years after transfer	Destroy at option in compliance with Note be-	Destroy at option in compliance with Note be-	7 years after redemption of issue	6 years after redemption of issue. (Destroy at option provided that the Trustee(s) under such indenture or security instrument is a National Bank a member of the Federal Recerve System or a subsidiary of any such National Bank or Federal Reserve System member bank; and provided intriner that the Trustee(s) has certified to the Company that copies of all such documents will be available in the offices of the Trustee(s) for inspection at any time prior to redunding the Noiders of dath securities to which such documents rolate and time prior to redunding the Noiders of dath securities to which such documents rolate and for inspection by any Federal or State regularity.	thing by prior to retembriou and to an auditional period of 9 years after redemption). 3 years after payment or cancellation provided other records of issuance and payment or can-	cellation are maintained. 6 years after issuance	Permanently	qo	ор
Description of records	Corporate and General—Continued	(b) Bond and debetture subscription accounts, warrants, subscription notices, requests for	allotment and essential papers related thereto. (c) Stubs or similar records of bond and deben- ture certificates issued.	(d) Papers pertaining to or supporting transfers of registered bonds and deboutures: (1) Papers that are recorded officially in a court or in the office of some other public	(2) Papers that have not been recorded as in	(e) Records of bond and debenture interest	(f) Cancelled bonds and debentures and paid	interest coupus per latining targeton. (g) Trust indontures, loan agreements or other contracts or agreements securing dobt securities issue, (if such appers or documents are included among the records covered by Item 3 of the Regulation, this instruction will not	(h) Copies of reports, statements, letters or monoranda flied with Trustee(s) pursuent to provisions of trust indenture or other security instrument or agreement securing dobt securities issued.	(l) Paid or cancelled debt securities evidencing temporary borrowings.	(j) Paid or cancelled interest checks.	4. Hings With acgulacity Bodies. (a) One copy of every notification, registration statement, periodic or other roport, reorganization plant, application, declaration or other filling flade by the Company with the Securities and Exchange Commission or with any other Federal or State regulatory body, including copies of exhibits in support of such	ulings. (b) Official copies of formal notices, opinions and orders of the Securities and Exchange	Commission or of any other Federal or State regulatory body served upon the Company. 4. Organization Documents: Corporate charters, framchises or certificates of incorporation and by-laws.

Nore: Cancelled bonds and debentures and paid interest coupons pertaining thereto may be destroyed, provided that a certificate of destruction giving full descriptive reference to the documents destroyed shall be made by the person or persons authorized to perform such destruction and shall be retained by the Company for the period herein prescribed. The certificate of destruction soldered the destruction of paid interest coupons pertaining to bonds or debentures need not contain a listing of the bond or debenture serial numbers pertaining to such paid interest coupons. When documents represent dobt scence dy mortgage, the certificate of destruction shall also be authorized by a representative of the Trustee(s) acceptance theorem, with the person or persons destroying the documents with the theorem. The remaision excitings have destruction shall also be destroyed by some shall have the Trustee(s) acceptance theorem. The remaision extitions described may be destroyed by years after the payment and discharge of the bonds or debentures or interest coupons described in such certificate. Such certificate may be microfilmed in accordance with indicator "M". See Instruction 5(b) of the Regulation. 'If a retention period is prescribed elsewhere in the Schedule with respect to any document which is included as an exhibit to any filling retained pursuant to the requirements of this firm, the Company need retain only one copy of such document in its files provided appropriate cross references are established. SCHEDULD OF RECORDS RETENTION PERIODS-Continued

med
Contin
PERIODS-
RETURTION
RECORDS
ų O
SCHEDULD

Description of records	Period of retention	Mferofilm indicators	Description of records	Period of retention	Mfcrofilm indicators
	,	,	Corporate and General—Continued		
 Froxies and Voting Lists; Executed proxies of holders of voting securities, 	6 years after date of shareholders' meeting for which executed. (Destroy at option provided the Company preserves certified voting lists	M	8. General and Subsidiary Leggers: (a) General ledgers and indoxes thereto	Permanentlydodo.	M-20 M-20
(b) Lists, certified by one or more independent persons, of bolders of voting scentifies repre-	6 years after date of shareholders' meeting for which prepared. (Destroy at option provided the control of the	ž	and indoxes thereto, (c) Trial balance sheets of general and sub- sldfary ledgers or equiyalent records.	b years after date of trial balance.	M
	cuted proxies of holders of voting securities as provided in 5(a) hereof.)	4	9. Journals: General and subsidiary journals. 10. Vouchers and Other Papers Supporting Jour-	Permanently	M-20
6. Minuto Books of stockholders', directors' and directors' committee meetings.	Permanently	M-10	nal Entries: (a) Youchers supporting general and subsidiary outling intries and papers forming part of	-	
(a) Contracts and agreements entered into by the Company for the procurement of services, such as management, consulting, secontract for the procure of the contraction of the contracti	Permanently fresseted in the plant accounts of associates or in the investment account of the Company—all other such contracts 5 years often concollation or arriently.	ME.	or necessary to support and explain vouchers restaining to— (1) Organization, fixed assets, investments, issuance of capital stook, fanded debt and	-qo	M-20
(b) Contracts, agreements, deeds, and other tille papers relating to the purchase, sale or		`	related accounts. (2) All other accounts. (b) Schedules for recurring journal entries	7 years after settlement. Destroy when superseded if not a part of a journal enter in which event from 9 applies	M-10
tease or properties (other than properties purchased from, sold to, or leased to or from present or former associates): (1) Those involving annual expenditures of	Destroy at option if books of the Company have	ME	(c) Lists of standard journal entry numbers (d) Material and supplies disbursement and labour distribution records supporting youth-	Destroy when superseded 7 years after end of fiscal year.	¥
nor more train so, you and winter teate to automobiles; office equipment, materials and supplies; building space, printing and cities similar items.	cen examined by independent accountains subsequent to expiration, cancellation or execution of such contracts.		the Computer of the Computer o	Permanently	W-28
(2) Those involving annual expenditures of more than \$5,000 but less than \$125,000 and which relate to renting or leasing of build-	o years atter cancellation or expiration	न स्थ	renaria cash books, 12. Voucher Registers: Voucher reristors or similar records	·	M-20
(3) Those involving annual expenditures of more than \$5,000 but less than \$20,000 and which relate to automobiles; office equip-	6 years after settlement	ME	 Vouchors Evidencing Disbursements: Paid and cancelled vouchers, bills, invoices, receipts, authorizations and any other supporting sources in composition with. 	·	l F
ment, materials and supplies; printing and similar itoms. (4) All others. (c) Contracts or agreements for the acquisition	Permanently	ME	(1) Those accounts relating to organization, real estate and/or real estate interests other than building space reatist, interestrants, enaits at store funded about and related	op	M-20
or disposa of investments. (Excluding temporary cash investments.) (d) Contracts or agreements for the purchess contracts as said of the Comment's		ME	accounts. (2) Those accounts relating to furniture, automobiles, machinery and equipment owned	by years after and of fishal year in which such property is disposed of.	M5
oyn securities, other than under an om- ployee's stock purchase plan. (This instruction will not apply if the contracts			by the Company. (3) Those accounts relating to renting of building space, automobiles, machinery or equipment on the the procuement of materials		M-5
the Schedules are covered by trem of the Schedules (s) Contracts or agreements for the purchase, sale, transmission or production of electric	6 years after cancellation or expiration. (If contract or agreement is transferred or as-	ME	and supplies, printing and other items properly chargeable to expenses when acquired. (4) Those accounts relating to all other expen-	op	M
energy or of natural or manufactured gas. (Other than for the Company's own use.) (f) Contracts or agreements with individual	signed, retain copy for 6 yer or transfer.) years after cancellation or e	ME	ditures. (b) Paid and cancelled checks other than interest and dividend checks. (See Items I(k) and 2 (i) for interest and dividend checks.)	· ~~	¥
organizations relative to wage rates, hours and similar matters. (Other than warrants and requests for allotment.)			14. Accounts Receivable: (a) Records of all accounts receivable, registers of accounts recolarable, and accounts reconstruction of accounts reconstructions of accounts are accounted to the second and accounts account account accounts accounts accounts account account accounts account accounts account	3 years after settlement.	M.
(g) Any other contracts or agreements entered into with present or former associate com-nonics relating to:		-	accounts. (b) Accounting department copies of involces.	db	×
(1) Investments or properties of the Company or investments or properties of associate companies.	Permanently	ME	issued and supporting papers which do not accompany the original invoices and authorizations for charges including supporting		
(2) Automobiles; office equipment, materials and and supplies; office space; printing and	6 years after cancellation or expiration	ME	papers. (c) Periodic statements of unsettled accounts, except frial belances.	I year after end of fiscal year	Ħ
(3) All others. (b) Memoranda essential to clarify or explain provisions of contracts and percements.	6 years after execution, expiration or cancellation. For same period as contract to which they relate.	ME	(d) Schedule of involces to be issued	Destroy at option if books of the Company have been examined by independent accountants subsequent to preparation of such schedule.	
(i) Summarles and abstracts of contracts or agreements. (j) Card or book records of contracts or agree-	Destroy at optiondo.		16. Uther Records of Scentifies Owned: Any records of scentifies owned, in tressury or with custodians, other than those listed above. (Rechalither component processors)	6 years after disposition of such securities.	M
ments showing renowal or expiration of same and records of performance.			** Vouchers described in Items 13(a) (2), (3) and (4) infra involving annual expenditures of \$5,000 or less may be	(4) Infra involving annual expenditures of \$5,000 c	or less may be
s it is the intent of this provision that each Company shall maintain for a period showing the shareholders of record represented at each stockholders whething of	any snau maintain for a period of at least 6 years adequate records teach stockholders' meeting of the Company and the votes east	the votes cast	destroyed at option ii the mooks of the Company i	мус рееп ехаплиса ру шиерепиепь ассоипсань.	

It is the intent of this provision that each Company shall maintain for a period of at least 6 years adequate showing the shareholders of record represented at each stockholders muchting of the Company and the vot by each stude shareholder for or sgainst each its state where yet each stockholders' meeting.

SCHEDULE OF RECORDS	of Records Retention Periods-Continued		SCHEDULE OF RECORDS	of Records Retention Periods—Continued	
Description of records	Period of retention	Microfilm indicators	Description of records	Period of retention	Microfilm indicators
Corporate and General-Continued			Corporate and General-Continued	-	
16, Insurance Records:	Desfrox at option if books of the Company have	M	19. Automatic Data Processing Records—Con. (2) Where a printed sheet or tape or other	Destroy at option,	
in coverage, premiums paid and expiration dates.	been examined by independent accountants after experition of such policies,	Þ	hard copy printout which permits an audit trail and which shows such information as woncher numbers, account numbers amounts		
(b) Records of soli-insurance against (i) losses from fire and easualty (2) damage to property	s years and date of the recomment end y with respect thereto.	į	etc., & Printed sheeks or tapes or other hard copy	6 years after end of fiscal year.	
(c) Detailed schedules or spread sheeks of monthly insurance charges to operating ex-			printouts described in 19(b) (1) and 19(b) (2).		;
penses or other accounts. (d) Detailed schedules of monthly accruals for	ants.		Appraisals and variations made by the Com- pany of its properties or investments or of the	remanently. (Copies may be retained in neu of original documents if the properties or invocations of the copies of the properties of the properties of the properties of the properties of the copies	0T-VI
self-insurance. (c) Insurance policies	_		companies, (Includes all records essential thereto.)	pertain are transferred to associate companies and the original documents are transferred	
(f) Records of amounts recovered from insur-	ants. 3 years after date of recovery	M	Treasury	to the acquiring companies.)	
ance companies in connection with losses and records of claims against insurance companies	•		21. Statements of Funds and Deposits: (a) Summaries and periodic statements of eash	Destroy at outlon after books of the Company	
papers, papers of resonant supporting	1 vent after supersesson	M	balances on hand and with depositories.	have been examined by independent accountants.	,
of property. Of property.	Destroy at option after books of the Company		(b) Statements of associates' cash balances on hand and with depositories.		
surance and of losses less than minimum	have been examined by independent accountants.			2 years after end of fiscal year.	¥
(i) Insurance maps of property and structures erected thereon.	dododo			Destroy at option after funds have been re- turned or accounted for and examined by inde-	,
(f) Records and statements relating to insurance ance requirements.				pendent accountants. Destroy at option after liability of bonding com-	
(a) Copies of schedules, returns and supporting	-		Outers responsible for futures of the company.	pany has expired and nem has been audited by independent accountants.	
working papers to taxing authorities and records of appeals:			(a) Bank deposit slips or similar records	1 year after end of fiscal year.	
(1) Federal income, excess profits, undistributed income and capital stock taxes.	20 years after year of roturn	N.	(b) Advice of deposits made when information thereon is shown on other records which are	Destroy at option after books of the Company have been examined by independent account-	-
(2) State income taxes and State or local property taxes.	dodo	Z	(c) Statements from depositories showing the	ants. 3 years after end of fiscal year	M-1
(4) Schedule of allocation of consolidated	10 years after payment 10 years after allocation	N-3	details of funds received, dispursed and trans- ferred and balances on deposit,	-	
Tederal Income Taxes to subsidiary com-			(c) Statements from banks of interest credits	1 year after end of fiscal year	•
(b) Francis: on taxing authorities and re-	5 years after settlement	M-3	(f) Check registers or other records of checks issued.	Retain for 6 years if check register is duplicated, in the youcher register, if not so duplicated,	¥
(c) Summaries of taxes paid by classes of taxes and by location.	Destroy at option after books of the Company have been examined by independent ac-			retain for same periods as Item 13, as applicable.	
(d) Summaries of taxes paid by taxing districts.	countants.		(g) Correspondence and memoranda relating to the stopping of payment of bank cheeks	6 years or destroy at option after check is re- covered.	Ħ
18. Accountants' and Auditors' Reports: (a) Reports of examinations and audits by ac-	Permanently	M-10	and to the issuance of duplicate enecks. 23. Records of Receipts and Disbursements:		;
countants and auditors not in the regular employ of the Company. (Including reports			(a) Duly of other periodic statements of re- ceipts of disbursements of funds.	2 years after end of fiscal year	렇 ;
of public accounting firms and regulatory commission accountants.)	•	,	standing vouchers, cheeks, drafts, etc. issued		Z
(b) Internal audit reports and working papers 19. Automatic Data Processing Records:	3 years after date of completion of audit	덬	(c) Reports of associates showing working fund fransactions and summaries thereof	Optional after end of fiscal year	
(a) An records Mirch Serve as the original source data for automatic data processing. (Includes such original source data as mark sensing	the Schedule.		Payroll and Personnel Records		
cards and involces, vouchers, proxies and other records originally recorded on punched					;
cards, tupes or similar recording media.) (b) Punched cards, tupes or similar recording modio us intermediate, records or stems			(a) Fayroll should by redisters of payments of sabarles und wages to individual officers and employees. (See 24(1) for pension or annuity	7 years after end of ilseal year	¥
in automatic data processing equipment for assembling figures to be posted to an ac-			(b) Records showing the distribution of salaries	op	×
count or to be accumulated for some other record:	2000		and water paid to officers and employees for each monthly, sent-monthly or weekly pay- roll rected and surmerels on reconstributed		
(1) Where a printed sheet of tape of other hard copy printed which permits an audit frail and which shows shen information as	o years milit that of metal year.		statements of such distribution. (c) Time tickets, time sheets, time cards, work.	op	M
voucher numbers, account numbers, amounts, etc. is not preserved.	-		men's rejorts and other records showing hours worked, description of work and ac- counts to be charged.		
'Microfilming permitted after examination by taxing authorities.	taxing authorities.		The requirements of Item 13 of this Schedule shall be observed if applicable.	il be observed if applicable.	

	Microfilm	M-20	-		•			M		Z.	M	Same as in- struction for reten- tion period.		X	Z Z	
Schubbuln of Records Resurgion Puntobs—Continued	Perlod of retention	Permanently	,	3 years after ond of Ascal year in which prepared,	Destroy at option.	s yeris rice ond oi uscai year in which preputed.		2 years after sottlement	-	Destroy at option.	2 years after fottlement	As may be permitted for items to which correspondence relates.		Destroy at optiondodo	10 years after date of publication	
Schuduli of Record	Description of records	Miscellaneous 30, Statistics and Miscellaneous (a) Annual Innacial, operating and statistical (c) Annual Innacial, operating of	bisiness for informal administrative or operating purposes (and not used as the basis for inferent of the companies concerned) to show the results of operations and the imaneal contition of the holding company system, including supporting detailed property, and shafaments essential to verifies-	tion of the main reports. (b) Quarterly, monthly or other periodic financial, operating and other statistical reports as above.	(o) All other statistical reports (not covered elsewhere in the Schedulo) propared for internal and administrative or operating purposes only and not used as the basis for entries to the accounts of the Company.	31, but gots and Other toreessis (propured 107 internal administrative or operating purposes) of estimated future income, receipts and expenditures in connection with financing, construction and operations and acquisitions or disposals	of properties or investments by the Company and its associate companies, including revisions of such estimates and memoranda showing reasons for preference also properties character contributes.	parison of actual frooms and receipts and expenditures with estimates. 22. Injuries and Damages: (a) Olaim registers, card or book, indexes and	similar records in connection with claims pre- sented egainst the Company in connection with accidents resulting, in damage to the	Property to rotutes we present address. (b) Papers, roports, statements of witnesses, etc. necessary to the support or refection of individual claims against the Company. (c) Other papers, reports or statements portaining to accidents resulting in property damage or mersonal rituries not necessary to the sup-	d) Detailed schedules or spread sheets of payments to others for personal injuries or for 22 property damage.	(a) Correspondence and indexes and other mis- cellancour material essential to and relating to subjects covered by other items of the Sched- nie, Cletters requesting copies of published materials may be destroyed at 90 ption. Or- materials may be destroyed at 90 ption. Or-	their officers, directors and employees requesting information for use by the Company in compiling its annual vroports on Form USS or for use in compiling reports and filings for other regulatory agandes may be destroyed	(b) 'Stenographers' notebooks and diotaphone (c) 'Stenographers' notebooks and diotaphone or other mechanical device records, (c) Mailing lists of prospects for appliance sales, etc.	pany's securities other than lists of all stock- loiders. 34. Other Miscellaneous Records; (a) Copies of advertisements by the Com- nany in behalf of itself or any associate	company in newspapers, magazhes and other publications including records thereof. (Excluding advertising of product, appliances, employment opportunities, services, territory, routine notices and invitations for bids for scentrities all of which may be destroyed at option.)
	Microfilm Indicators	K	M		፮ .		z z		¥		MB.		X .	M ·	, H	• •
s Rexponsion Poniods—Continued	Period of retention	0 years aftor ond of Ascal year	I year afterend of fiscal year	J year after end of fiscal year	7 years after ond of fiscal year	6 years after termination.	6 years after date of record	6 years after date of communication	6 years aftor date of incoption	Destroy at option after books of the Company have been examined by independent accountants. Destroy at option after books of the Company have been examined by independent accountants.			20 years after expiration or supersession	6 years after expiration or supersession	Destroy at option	Any purchases and stores records related to disbursement vouchers shall be retained for the portods presented for such vouchers. (See Item 13.) All other records pertaining to purchases and stores may be destroyed at option,
SCHDDULD OF RECORDS	Description of records	Payroll and Personnel Records 24. Payroll Records—Continued (a) Paid checks, receipts for wages paid in easth and other evidences of payments for gerylees	condered by employees. The control of Receipts for payrolls and pay checks de-livered to paynusters or other employees for distribution. (f) Authorizations for changes in wage and salary acts, summeries and reports of changes in payroles, standarders and reports of changes in payroles, standarders and reports of changes in payroles, and similar records.	(g) Yayroll authorizations and records of authorized positions. (h) Comparative or analytical statements of payroll.	(i) Fousion or annuity payrolls	(1) Dustodian agreement. (2) Transfer agent agreement or instructions. (3) Brotker's and other security purchase confirmations.	(4) Security issue requisitions with support- ing individual statements and/or reports. (5) Employees' authorizations and with-	(a) Copies of notices, letters, statements and all other material released, issued or mailed to eligible and/or participating employees both indirydnally and collectively.	(7) Data processing records, reports and other accounting controls. 25. Assignments, Attachments and Garnish-	(a) Record of assignments, attachments and garnishments of employees' salaries including flues of notices, etc. essential thereto. (b) Minors' salary releases.	26. Personnel Records: (a) Records of employees' scryles, attendance and other essential data. (This will also include all faceders relating to the computations olde all records relating to the computations	of accident in Connections with our property of Applications for employment, requests for Important ports, photographs and other identification records and other medicalmous records perfectly of the miscellancous records perfectly the constructions of complexes.	27. Instructions to Employees and Others: (a) Bullotins or memoranda of general instructions issued by the Company to employees of the holding company system pertaining to changes in accounting, engineering, oper-	ating, maintenance and construction policies. (b) Builotius or monomands of general histructions issued by the Company to employees of the holding company system pertaining to accounting, outlinessing, oppositing, and monomand onstruction methods and non-manne and construction methods and non-manner and manner and manner and monomial and	ordines (e) Notices to employees on matters of disel. (b) Iline, deportment and similar subjects. 23. Organization Diagrams and Charts.	Purchase and Stores Records

SCHEDULE OF RECORDS RETENTION PERIODS-Continued

Description of records	Period of retention	Microfilm indicators
Miscellaneous—Continued		
 34. Other Miscellaneous Records—Con. (b) Receipts and records pertaining to delivery of articles to employees such as badges, keys and material receipt books. (c) Records of building space occupied by various departments of the Company. (d) Indexes of forms used by the Company. (e) Transmittal lists or forms used for indicating papers and records forwarded from one department to another, provided such 	Destroy at optiondodo	
lists do not contain data affecting the accounts of the Company. 35. Duplicate Accounts, Records and Memoranda: Duplicate opies of accounts, records and memoranda listed in the Schedule where all information on such duplicates is contained in the originals or other copies retained.	do	

originals or other copies retained.

36. Records of Predecessors and Former Associates:

Any records of predecessors or of former associates of the Company, which are in the possession of or under the control of the Company, shall be retained by the Company until the Commission, on its own motion or in response to a request from the Company, shall by rule, regulation or order have authorized the destruction or other disposition of such records; provided, however, that where any such predecessor or former associate of the Company was solely a holding company not engaged in public utility operations nor in the performance of service, sales or construction contracts for associate companies, the records of such predecessor or former associate holding company may be destroyed in accordance with the provisions of the Schedule; and provided further that where any such precedessor or former associate of the Company was a public utility company as defined in the Act or was any other operating company commonly known as a public utility company, the records of such predecessor or former associate company may be destroyed in accordance with applicable records retention regulations of the Federal Power Commission or of any State Commission having jurisdiction in the premises.

[F.R. Doc. 59-8509; Filed, Oct. 9, 1959; 8:45 a.m.]

NOTICES

CIVIL AERONAUTICS BOARD

[Docket No. 8748]

AMERICAN SHIPPERS, INC.; EN-FORCEMENT PROCEEDING

Notice of Postponement of Hearing

By motion filed October 7, 1959, American Shippers, Inc., seeks postponement of hearing and states that the Office of Compliance does not object. In consideration of the matters set forth in the motion, the hearing is postponed from October 12, 1959, to October 26, 1959, at 10 a.m., in room 803, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Hearing Examiner Ralph L. Wiser.

Dated at Washington, D.C., October 8, 1959.

[SEAL]

Francis W. Brown, Chief Examiner.

[F.R. Doc. 59-8623; Filed, Oct. 9, 1959; 10:35 a.m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary [Order 2302, Amdt. 2]

DIRECTOR, BUREAU OF MINES
Delegation of Authority

OCTOBER 5, 1959.

Paragraph 3 of Order No. 2302 (20 F.R. 1349), which authorized the Director of the Bureau of Mines to redelegate to the Assistant Director for Helium Activity, and to the Chief of Helium Opera-

tions the authority to execute contracts for the sale of helium, is amended to read as follows:

The Director of the Eureau of Mines may, in writing, redelegate or authorize written redelegation of the authority granted in this order to the Assistant Director—Helium Activity; General Manager, Helium Operations; and Chief, Division of Administration, Helium Activity.

ELMER F. BENNETT,
Acting Secretary of the Interior.

[F.R. Doc. 59-8547; Filed, Oct. 9, 1959; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary MORLAN J. GRANDBOIS

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the Federal Register in the last six months.

A. Deletions: None. B. Additions: None.

This statement is made as of September 26, 1959.

Dated: September 26, 1959.

MORLAN J. GRANDBOIS.

[F.R. Doc. 59-8571; Filed, Oct. 9, 1959; 8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation SALES OF CERTAIN COMMODITIES October 1959 Monthly Sales List

Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669) and subject to the conditions stated therein, as well as herein, the commodities listed below are available for sale on the price basis set forth.

Principal changes in the list for October are a shift to a, 1959-crop basis for setting minimum domestic prices for corn and soybeans; the dropping of butter from the list (as announced September 2—press release USDA 2448-59) because all stocks have been committed; increases in domestic (restricted) and export prices for nonfat dry milk; and a reduction in the cheese export price.

The CCC Monthly Sales List, which varies from month to month as additional commodities become available or commodities formerly available are dropped, is designed to aid in moving CCC's inventories into domestic or export use through regular commercial channels.

If it becomes necessary during the month to amend this list in any material way—such as by the removal or addition of a commodity in which there is general interest or by a significant change in price or method of sale—an announcement of the change will be sent to all persons currently receiving the list by mail from Washington. To be put on this mailing list, address: Director, Price Division, Commodity Stabilization Service, U.S. Department of Agriculture, Washington 25, D.C.

All commodities currently offered for sale by CCC, plus tobacco from CCC loan stocks, are eligible for export sale under the CCC Export Credit Sales Program.

The following commodities are currently eligible for barter: Cotton, tobacco, rice (milled), wheat, corn, barley, sorghum grain, soybeans, cheddar cheese, and nonfat dry milk. This list is subject to change from time to time.

Interest rates per annum under the CCC Export Credit Sales program for October 1959 are 4% percent for periods up to six months, 5% percent for periods from over six and up to 18 months, and 5% percent for periods from over 18 months up to a maximum of 36 months.

The CCC will entertain offers from responsible buyers for the purchase of any commodity on the current list. Offers accepted by CCC will be subject to the terms and conditions prescribed by the Corporation. These terms include payment by cash or irrevocable letter of credit before delivery of the commodity, and the conditions require removal of the commodity from CCC storage within a reasonable period of time. Where conditions of sale for export differ from those for domestic sale, proof of exportation is also required, and the buyer is responsible for obtaining any required

U.S. Government export permit or license. Purchases from CCC shall not constitute any assurance that any such permit or license will be granted by the issuing authority.

Announcements containing all terms and conditions of sale will be furnished upon request. For easy reference a number of these announcements are identified by code number in the following list. Interested persons are invited to communicate with the Commodity Stabilization Service, USDA, Washing-ton 25, D.C., with respect to all commodities or-for specified commodities-with the designated CSS Commodity Office.

Commodity Credit Corporation reserves the right to amend, from time to time, any of its announcements. Such amendments shall be applicable to and be made a part of the sale contracts

thereafter entered into:

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such

announcements.

If CCC does not have adequate information as to the financial responsibility of prospective buyer to meet all contract obligations that might arise by acceptance of an offer or if CCC deems such buyer's financial responsibility to be inadequate CCC reserves the right (i) to refuse to consider the offer, (ii) to accept the offer only after submission by the buyer of a certified or cashier's check, bond, letter of credit or other security acceptable to CCC assuring that the buyer will discharge the responsibility under the contract, or (iii) to accept the offer upon condition that the buyer promptly submit to CCC such of the aforementioned security as CCC may direct. If a prospective buyer is in doubt as to whether CCC is acquainted with his financial responsibility he should communicate with the CSS office at which the offer is to be placed to determine whether a financial statement or advance financial arrangement will be necessary in his case.

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities not up to specifications. These lots are offered promptly upon appearance by public notice issued by the appropriate CSS office and therefore generally they do not appear in the Monthly Sales List.

On sales for which the buyer is required to submit proof to CCC of exportation the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or possessions, and have a person, principal, or resident agent upon whom service or judicial process may be had.

Prospective buyers for export should note that generally, sales to United States Government agencies, with only minor exceptions, will constitute a domestic unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sale, to define or limit export areas.

, Commodity	Sales price or method of sale
Dairy products	All sales are under LD-29 and amendments. All sales are in carlots only. As many as 3 buyers may participate in purchasing a single earlot. Domestic prices; For unrestricted use price is "in store" at storage location of products.
	For restricted use price is on the basis of delivery f.o.b. cars at point of use named in offer. CCC will convert to "in store" price as provided in LD-29. Export prices are on the basis of delivery f.a.s. vessel or at buyers option f.o.b. cars point of export. If delivery is to be "in store" CCC will convert to "in store" price as provided in LD-29. Offers to purchase nonfat dry milk for export shall state (1) that offer is subject to Announcement LD-29 and the price and other conditions in the October 1959 Monthly Sales List, and (2) either (a) date of contract of sale, if any, to
	to Announcement LD-29 and the price and other conditions in the October 1959 Monthly Sales List, and (2) either (a) date of contract of sale, if any, to foreign buyer or U.S. Government Agency and, if such date is prior to February 1, 1959, whether the sales prices to the foreign buyers have been reduced as required or (b) that the required exportation of dairy products will not be pursuant to any contract of sale made before February 1859. Submission of offers: For products in Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington, submit offers to the Portland CSS Commodity Office. For products in other States and the District of Columbia, submit offers to the Cincinnati CSS Commodity Office.
Nonfat dry milk (spray, as roller) available.	Cents
. `	Dound Dound In barrels and drums 16.00 In bags 15.15 Roller process, U.S. extra grade In barrels and drums 14.00 In bags 13.15 In barrels and drums 14.00 In bags In barrels and drums In barrel
	Domestic, restricted use (animal and poultry feed): In barrels, drums, or bags, 11.25 cents per lb. Export, unrestricted use: Spray or roller process, U.S. extra grade: In barrels, drums, or bags, 9.0 cents per lb. except that: (I) For fulfilling con-
	tractual commitments entered into prior to February 1, 1959, with foreign buyers or with U.S. Government Agencies which execute the certificate required by paragraph 11(e) of LD-29, spray or roller process, 9.9 cents per Ib. in barrels and drums, 9.05 cents per Ib. in bags, and (2) for fulfilling contractual commitments with foreign buyers entered into from Fabruary
Cheddar cheese (cheddars, flats, twins, rindless blocks (standard moisture basis)).	1 through June 30, 1959, spray or roller process, 7.0 cents per lb. Domestic, unrestricted use: 33.0 cents per lb. for N.Y., Pa., New Encland, N.J., and other States bordering the Atlantic and Pacific and Gulf of Mexico. All other States 37.0 cents per lb. Export, unrestricted use: 31.87 cents per lb.
Cotton, upland	Domestic or export, unrestricted use: Competitive bid and under the terms and conditions of Announcement ON-A (sales by local sales agencies of choice
	(A) cotton for unrestricted use), Announcement NO-C-12 (sale of 1953 and prior crop cotton for unrestricted use), and Announcement NO-C-13 (sale of 1959-crop choice (A) cotton for unrestricted use). Under ON-A, cotton to be sold at highest price offered but in no event at less than 110 percent of the applicable choice (B) support price plus carrying charges. Under NO-C-13, and NO-C-13, cotton in COC's catalogs to be sold at highest price offered but in no event at less than the higher of (1) the market price as determined by CCC or (2) 110 percent of the applicable choice (B) support price plus carrying charges.
Cotton, extra long staple	Domestic or export, unrestricted use: Competitive bid and under the terms and conditions of Announcements NO-C-6 as amended and NO-C-10 as amended, but not less than the higher of (1) 105 percent of the current support price plus reasonable carrying charges, or (2) the domestic market price as determined by CCO.
Wheet bulls	Catalogs for upland cotton (except cotton offered under CN-A) and extra long staple cotton showing quantities, qualities, and locations may be obtained for a nominal fee from the New Orleans CSS Commodity Office. Catalogs or lists of cotton offered under CN-A may be obtained from local sales agencies.
Wheat, bulk	Domestic, unrestricted use: Commercial wheat-producing area: Market price basis in store but not less than the 1959 applicable loan rates plus (1) 19 cents per bu. if received by truck or (2) 14 cents per bu. if received by rail or barge. If delivery is outside the area of production, applicable freight will be added to the above.
	Examples of the foregoing minimum price per bushel (exrail or barge): Chicago, No. 1 RW
~	Same basis as in commercial area except 133 percent of applicable support rate. Export (as wheat): Under Announcement GR-261 revised, as amended, for application under arrangements for barter and approved credit sales only at prices determined daily, and under Announcement GR-212 revised, amended, for specific offerings as amnounced. Disposals under Payment-in-Kind Program under Announcement GR-345.
Corn, bulk	Available Evanston, Dallas, Kansas City, Minneapolis, and Portland CSS Commodity Offices. Domestic, unrestricted use: Market price, basis in store, but not less than the 1959 applicable loan rate plus: (1) A marking of 10 cents per bushel for corn in storage at point of production or (2) a marking of 12 cents per bushel and the rail freight from point of production to the present point of storage for corn in
	storage at other than the point of production. Examples of the foregoing minimum price per bushel for No. 2 yellow corn, 13.3 percent moisture and 1.4 percent foreign material including average paid- in freight from Woodford County, Ill., to Chicago and Redwood County, Minn., to Minneapolis, respectively.
	Minneapolis 1.27% Non-storable corn, unrestricted use (as available): At other than bin sites, through the offices indicated below. At bin sites, through ASO County Offices.
Out Tulk	Export: Under Announcement GR-212, revised, amended, for application to arrangements for barter and approved credit and emergency sales, and under Announcement GR-368 for Feed Grain Payment-in-Kind Program. Available Evanston, Dallas, Kansas City, Minneapolis, and Portland CSS Commodity Offices.
Oats, bulk	Domestic, unrestricted use: Market price, basis in store, but not less than the 1959 applicable loan rate, plus (1) a markup of 9 cents per bushel for oats in storage at point of production (2) a markup of 11 cents per bushel and the rail freight from point of production to present, point of storage for oats in storage at other than the point of production.
See footnotes at end of table	

The reactor will be located at

Commodity	Sales price or method of sale	Commodity	Sales nries or mathod of sala
per	Examples of the foregoing minimum price per bushel including average paid-in freight from Woodford County, III., to Olicago and Redwood County, Minn., to Minneapolis respectivoly: 8.0 min., Chicago, No. 3 oats. Export: No. 3 oats. Export: Onder Announcement (RZ-212, revised, amonded, for application to approved credit and emergency sales and under Announcement GR-308	lablo)	Domestic for crushing or evport: Market price but not less than the 1968-crop sup or frate basis store for grade No.1 with 10.6-11.0 percent moisture. Available Minnespoils GSS Commodity Office. Domestic, unrestricted use: Virginias: 1968 support price plus 5 percent, adjusted for milling plus reasonable carrying charges, but not less than market price under Peanut Annonnement
Barley, bulk	for Feed Grain Payment-in-Kind Program. Available Minnespolis, Evanston, Kansas City, Portland, and Dallas CSS Commodity Onlines. Domestic, unrestricted use: Market price basis in store but not less than the 1993 applicable loan rates plus 10, 12 cents per bushel if received by truck or (2) 9 cents per bushel if received by rail or barge. If delivery is outside the area of production, applicable freight will be added	н нада ў	Extra large Extra large Det to per to per pound: Extra large Det to per to per to per pound: Extra large Det to per
Ryo, bulk	Example of the foregoing minimum price per bushel (exrail or barge): Minneapolis, No. 2 or better. Exports: Under Announcement GR-212 revised, amended, for application to arrangements for barter and approved credit and emergency sales, and under Announcement GR-398 for Feed Grain Payment-in-Kind Frogram. Available Minneapolis, Evanston, Kansas Oity, Portland, and Dallas GSS Commodity Offices. Domestic unrestricted uses Market price basis in store but not less than the 1608 applicable loan rates plus (1) it cents per bushel if received by truck or (2) 10 cents per bushel if received by rail or bare.	Peanuts, farmers stock (as avail- Do able). Tung oil	omester for qualing or export: Competitive bid under COC Featur An- omestic for crushing or export: Competitive bid under Announcement 1, as amended. valiable Dalias CSS Commodity Office. valiable Dalias CSS Commodity Office. Commodity Office. Commodity Office. Competitive bid under Announcement DL-OP-10 by Dalias CSS Commodity Office. Consider or export, unrestricted use: Competitive bid under the terms and concept or export, unrestricted use: Competitive bid under the terms and constitutions of announcements issued and to be issued. These announcements sover various lots totaling about a militaries of the standard of the commodity Stabilization.
	If delivery is outside the area of production, applicable freight will be added to the above. Example of the foregoing minimum price per bushel (extall or barge): Minneapolis, No.2 or better. Minneapolis, No.2 or better. Export. Under Amouncement GR-212 revised, amended, for application to approved credit and emergency sales, and under Amouncement GR-368 for Reed Grain Fayment -in-Kind Program. Available Minneapolis, Evanston, Portland, Dallas, and Kansas Clty CSS Commodity Olines.	Gum rosinDo	Service, U.S. Department of Articulture, Washington 25, D.C. or Burley Tobacco Growers Coop. Association, 620 South Broadway Lexington, Ky. Domestic unrestricted use; Offer and acceptance basis, in galvanized metal drums (approximating 517# net) in the stated quantities and on the designated storage yards, subject to the terms and conditions of Amounteement TB-21-68 and supplements thereto which will be issued periodically during the month, Available through the American Furpowne Furner Association Coopera- tive, Valdosta, deorga mercian Furpowne subject to Amounteement TB- Export: Competitive bids for rosin in storace subject to Amounteement TB-
Grain sorghums, bulk	Domestic, unrestricted use: Market price basis in store but not less than the 1858 applicable ioun rates plus (1) 26 cents per cwt. If received by truck or (2) 17 cents per cwt. If received by tail or barge. If delivery is outside the area of production, applicable freight will be added to fall alloyou. Example of the forecoing minimum price nor cwt. (or rail or barge):	1 At the processor's plant or wontyer. 2 In these counties in which or	1 At the processor's plant or warehouse but with any prepaid storage and outbandling charges for the benefit of the first for the processor's plant or warehouse but with any prepaid storage and outbandling charges for the benefit of the first force.
Rice, milled (as available)	Earnes Olty, No. 2 or botter. Earnes Olty, No. 2 or botter. Export: The Anouncement GR-22; revised, amended, for application to arrangements for barrier and approved credit and emergency sales, and under Announcement GR-23s, for Feed Grain Payment-in-Kind Program. Available Dallas, Portland, Kansas City, Minneapolis, and Byanston GSS Commodity Offices. Domestic unrestricted uses Market price but not less than equivalent 1969 Jonnestic arrangement of the program o	sites without additional cost; sales will also be made in counties at the same price, provided the buyer makes an (Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1056; 7 U.S.C. 1427, sec. 208, 63 Stat. 901)	ation approved warehouses in such county and at rangements. ation of the safety aspects of reactor projects in accordance with cediures which would parallel to the county of the count
,	million, plus 17 cents per cert, basis in store. Prices and quantities available by varieties and grades may be obtained from Dallas CSS Commodity Office. Example of minimum prices of milled rice per cert, at mills: U.S. No. 3 U.S. No. 4	Issued: October 6, 1959. CLARENCE D. PALMBY, Acting Executive Vice President, Commodity Credit Corporation.	observed in incertsing proceedings. The reactor projects to which this policy sident, applies are Commission-owned demonstration. stration reactor projects which are not poration. located at Commission installations but
	Blue Bonnet. 9.21 8.60 Century Patna 8.47 7.84	[F.R. Doc. 59-8581; Filed, O 8:49 a.m.]	Oct. 9, 1969; which would be operated as an integral part of the power-generation facilities of operating utility systems. This policy
Rice, rough	Export: Under GR-379 for application to arrangements for barter and approved credit sales. Prices and quantities available by varieties and grades may be obtained from Dallas OSB Commodity Olifice. Domestic, unrestricted use: Market price but not less than the 1959 loan rate plus 5 percent, plus 10 cents per wet, best in store.	ATOMIC ENERGY COMMISSION [Docket No. PP-2]	
Soybeans, bulk (as available), 1957 and 1958 crop,	Export. As inner or provident Announcement of Export and Export ric- gram Payment-Li-Kind, and under GR-379 for approved credit sales. Prices, quantities, and varieties of rough rice available from Dallas GSS Com- modity Oilto. Domestic for creating or export: Market price basis in store but not less than the 1939 basic loan rate for No. 2 grade, basis point of storage, plus 20 cents per bushel, plus the value of billing, if any, as determined by the GSS Commodity Oilto. Market discounts for quality factors will be proplied	CITY OF PIQUA, OHIO, POWER DEM ONSTRATION REACTOR PROJECT Hearing on Construction of Nuclear	and pursuant to section 1 Atomic Energy Act of 1954, notice is hereby given tha will be held at 10:30 a.m., of 10:0 to the Atomic to the Atomi
	to the basic price to determine the actual sales prices. Sales for application under transcenancis for barter will be under under GR-212, revised and amended, fo.b. vessel at Great Lakes ports or delivered port elsewhere. Sales prices will be the same as to other buyers plus an adjustment for transportation and other charges required to place the soybeans at the export delivery point. Available Dallas, Evanston, Kausas City, and Minneapolis GSS Commodity Olices.	On March 12, nouncement B-4 nounced that w commission-own erested persons	

See footnotes at end of table.

the southeastern edge of the City of Piqua, on the eastern bank of the Miami River, on property controlled by the Piqua Municipal Power System. site is along the edge of a limestone quarry north of the new Piqua Sewage Treatment Plant.

The issues to be considered at the hear-

ing will be the following:

1. Whether there is information sufficient to provide reasonable assurance that a nuclear reactor of the general type planned for construction at the site can be constructed and operated at the proposed site without undue risk to the health and safety of the public;

2. Whether there is reasonable assurance that technical information omitted from and required to complete the Preliminary Safeguards Report filed by the Atomics International Division, North American Aviation, Inc., will be supplied;

3. Whether the Atomics International Division, North American Aviation, Inc., is technically qualified to design and

construct the reactor; and

4. Whether construction of the reactor will be inimical to the common defense and security or to the health and safety

of the public.

Petitions for leave to intervene must be received in the Office of the Secretary. Atomic Energy Commission, Germantown, Maryland, or in the AEC Public Document Room, 1717 H Street NW., Washington, D.C., not later than thirty days after publication of this notice in the FEDERAL REGISTER, or in the event of a postponement of the hearing date specified above, at such time as the Presiding Officer may provide.

In the absence of good cause shown to the contrary, the AEC staff proposes to recommend the adoption of proposed conclusions substantially as set forth

in the Annex "A", below.

Papers required to be filed with the AEC in this proceeding shall be filed by mailing to the Secretary, Atomic Energy Commission, Washington 25, D.C., or may be filed in person at the Office of the Secretary, Atomic Energy Commission, Germantown, Maryland, or at the AEC Public Document Room, 1717 H Street NW., Washington, D.C. Pending further order of the Presiding Officer, parties shall file twenty copies of each such paper with the AEC and where service of papers is required on other parties shall serve five copies of each.

Notice is hereby given that the report of the Advisory Committee on Reactor Safeguards and the Preliminary Safeguards Report filed by the Atomics International Division, North American Aviation, Inc., are available for public inspection in the Commission's Public Document Room. Copies of the Report of the Advisory Committee on Reactor Safeguards may be obtained by request to the Director, Division of Licensing and Regulation, U.S. Atomic Energy Commission, Washington 25, D.C.

The provisions of subpart G of the Commission's rules of practice, shall apply to the proceeding in this matter to the same extent as if the proceeding were a proceeding before the AEC involving licensing and licensees.

Answers to this notice shall be filed by the Atomics International Division, North American Aviation, Inc., in the manner prescribed in § 2.736 of the Commission's rules of practice on or before

October 26, 1959. Samuel W. Jensch, Esq., is designated as the Presiding Officer to conduct the hearing and to render a decision pursuant to § 2.751(a) of the Commission's rules of practice.

Dated at Germantown, Md., this 7th day of October 1959.

For the Atomic Energy Commission.

A. R. LUEDECKE, General Manager.

ANNEX "A"

Based upon the record adduced at the hearing held on _____, 1959, the Atomic Energy Commission has found that: 1. Sufficient information has been pre-

sented to provide reasonable assurance that a nuclear reactor of the general type planned for construction for the City of Piqua, Ohio, on a site located at the southeastern edge of the City of Piqua and described in the Preliminary Safeguards Report, filed by the Atomics International Division, North American Aviation, Inc., can be constructed and operated at the site without undue risk to the health and safety of the public;

2. The Atomics International Division. North American Aviation, Inc., is technically qualified to design and construct the 45.5 MW (thermal) reactor to be built for the City of Piqua, Ohio;
3. Construction of the reactor at the site

will not be inimical to the common defense and security or to the health and safety of the public; and

4. No good cause has been shown as to why the Atomics International Division, North American Aviation, Inc., should not proceed with construction of the reactor at the site.

In view of the foregoing and subject to a further hearing to be held before operation of the proposed facility is commenced, the Commission authorizes the Atomics International Division, North American Aviation, Inc., to proceed with construction of the reactor in accordance with the design set forth in the Preliminary Safeguards Report filed by the Atomics International Division. North American Aviation, Inc., with the Commission.

[F.R. Doc. 59-8582; Filed, Oct. 9, 1959; 8:50 a.m.]

[Docket No. PP-1]

ELK RIVER POWER DEMONSTRATION REACTOR PROGRAM PROJECT

Hearing on Construction of Nuclear Facility

On March 12, 1959 (AEC Public Announcement B-42), the Commission announced that with respect to certain Commission-owned reactor projects, interested persons will be granted an opportunity to participate in the consideration of the safety aspects of such reactor projects in accordance with procedures which would parallel those observed in licensing proceedings. The reactor projects to which this policy applies are Commission-owned demonstration reactor projects which are not located at Commission installations but which would be operated as an integral part of the power-generation facilities of operating utility systems. This policy applies to the reactor projects resulting from the Commission's second invitation under the Power Demonstration Reactor Program including the reactor for the Rural Cooperative Power Association located at Elk River, Minnesota. Accordingly, and pursuant to section 161C of the Atomic Energy Act of 1954, as amended, notice is hereby given that a hearing will be held at 10:30 a.m., on November 10, 1959, in the Auditorium of the AEC Headquarters, Germantown, Maryland, to consider the health and safety questions involved in the construction and operation of the 58.2 MW (thermal) reactor to be built for the Rural Cooperative Power Association. The reactor will be located near the village of Elk River, Minnesota, approximately thirty miles northwest of Minneapolis and Saint Paul, Minnesota, on property owned by RCPA.

The issues to be considered at the hearing will be the following:

1. Whether there is information sufficient to provide reasonable assurance that a nuclear reactor of the general type planned for construction at the site can be constructed and operated at the proposed site without undue risk to the health and safety of the public;

2. Whether there is reasonable assurance that technical information omitted from and required to complete the Preliminary Hazards Report filed by the Atomic Energy Division of Allis-Chalmers Manufacturing Company, will

be supplied:

3. Whether the Atomic Energy Division, Allis-Chalmers Manufacturing Company, is technically qualified to design and construct the reactor; and

4. Whether construction of the reactor will be inimical to the common defense and security or to the health and safety of the public.

Petitions for leave to intervene must be received in the Office of the Secretary, Atomic Energy Commission, German-town, Maryland, or in the AEC Public Document Room, 1717 H Street NW., Washington, D.C., not later than thirty days after publication of this notice in the FEDERAL REGISTER, or in the event of a postponement of the hearing date specified above, at such time as the Presiding Officer may provide.

In the absence of good cause shown to the contrary, the AEC staff proposes to recommend the adoption of proposed conclusions substantially as set forth in the Annex "A" below.

Papers required to be filed with the AEC in this proceeding shall be filed by mailing to the Secretary, Atomic Energy Commission, Washington 25, D.C., or may be filed in person at the Office of the Secretary, Atomic Energy Commission, Germantown, Maryland, or at the AEC Public Document Room, 1717 H Street NW., Washington, D.C. Pending further order of the Presiding Officer, parties shall file twenty copies of each

such paper with the AEC and where service of papers is required on other parties shall serve five copies of each.

Notice is hereby given that the report of the Advisory Committee on Reactor Safeguards and the Preliminary Hazards Report filed by the Atomic Energy Division, Allis-Chalmers Manufacturing Company, are available for public inspection in the Commission's Public Document Room. Copies of the Report of the Advisory Committee on Reactor Safeguards may be obtained by request to the Director, Division of Licensing and Regulation, U.S. Atomic Energy Commission, Washington 25, D.C.

The provisions of subpart G of the Commission's rules of practice, shall apply to the proceeding in this matter to the same extent as if the proceeding were a proceeding before the AEC involving licensing and licensees.

Answers to this notice shall be filed by the Atomic Energy Division, Allis-Chalmers Manufacturing Company, in the manner prescribed in § 2.736 of the Commission's rules of practice on or before October 26, 1959.

Samuel W. Jensch, Esq., is designated as the Presiding Officer to conduct the hearing and to render a decision pursuant to § 2.751(a) of the Commission's rules of practice.

Dated at Germantown, Md., this 7th day of October 1959.

For the Atomic Energy Commission.

A. R. LUEDECKE, General Manager.

ANNEX "A"

Based upon the record adduced at the hearing held on _____, 1959, the Atomic Energy Commission has found that:

- 1. Sufficient information has been presented to provide reasonable assurance that a nuclear reactor of the general type planned for construction for the Rural Cooperative Power Association on a site located at the southeastern edge of the Village of Elk River, Minnesota, and described in the Preliminary Hazards Report, filed by the Atomic Energy Division, Allis-Chalmers Manufacturing Company, can be constructed and operated at the site without undue risk to the health and safety of the public;
- safety of the public;

 2. The Atomic Energy Division, Allis-Chalmers Manufacturing Company is technically qualified to design and construct the 58.2 MW (thermal) reactor to be built for the Rural Cooperative Power Association;
- 3. Construction of the reactor at the site will not be inimical to the common defense and security or to the health and safety of the public; and
- 4. No good cause has been shown as to why the Atomic Energy Division, Allis-Chalmers Manufacturing Company, should not proceed with construction of the reactor at the site.

In view of the foregoing and subject to a further hearing to be held before operation of the proposed facility is commenced, the Commission authorizes the Atomic Energy Division, Allis-Chalmers Manufacturing Company to proceed with construction of the reactor in accordance with the design set forth in the Preliminary Hazards Report filed by the Atomic Energy Division, Allis-Chalmers Manufacturing Company with the Commission.

[F.R. Doc. 59-8583; Filed, Oct. 9, 1959; 8:50 a.m.]

No. 199----5

FEDERAL POWER COMMISSION

[Project 2082]

CALIFORNIA OREGON POWER CO.

Modification of Notice of Land Withdrawal; Correction

By modification withdrawal notice of July 21, 1959, published in the Federal Register, Saturday, July 25, 1959, (24 F.R. 5979) this Commission gave notice of the reservation of approximately 446.91 acres of United States land pursuant to the filing by The California Oregon Power Company of revised map exhibits for Project No. 2082, on April 22, 1959, delimiting the "as built" boundaries of the Big Bend Development, and Big Bend Development Transmission Line between Medford and Klamath Falls, Oregon.

A re-examination of this project discloses that lot 15, section 13, T. 40 S., R. 6 E., W. M., Oregon, which was not included in the withdrawal notice, falls within the project boundaries.

Therefore, pursuant to section 24 of the Act of June 10, 1920, the hereinafter described land is from this date of filing (April 22, 1959) reserved from entry, location, or other disposal under the laws of the United States until otherwise directed by the Commission or by Congress.

WILLAMETTE MERIDIAN, OREGON

T. 40 S., R. 6 E., Sec. 13: Lot 15.

In addition, at 24 F.R. 5980, the following described lands were included by error. The notice is hereby corrected to eliminate these lands:

Revested Oregon and California Railroad Lands

T. 40 S., R. 6 E., Sec. 1: Lots 6, 8; Sec. 13: Lots 1, 2, 3, 5, 7.

Public Lands

T. 40 S., R. 6 E.,

Sec. 12: Lots 2, 3, 4.

Copies of amendatory project map exhibits (F.P.C. Nos. 2082-47 through 2082-55 and 2082-62 through 2082-72) accompanied the withdrawal notice sent to the Bureau of Land Management and Geological Survey under date of July 21, 1959.

Joseph H. Gutride, Secretary.

[F.R. Doc. 59-8489; Filed, Oct. 8, 1959; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 12686; FCC 59M-1303]

FAYETTEVILLE BROADCASTING CO., INC. (KHOG)

Order Scheduling Hearing

In re application of Fayetteville Broadcasting Company, Inc. (KHOG), Fayetteville, Arkansas, Docket No. 12686, File No. BP-11324, for construction permit. By agreement of the parties: It is ordered, This 6th day of October 1959, that hearing in the above-entitled proceeding is hereby scheduled to be held on October 14, 1959, in the Commission's offices, Washington, D.C.

Released: October 6, 1959.

Federal Communications . Commission,

[SEAL] MARY JANE MORRIS,

Secretary.

[F.R. Doc. 59-8574; Filed, Oct. 9, 1959; 8:49 a.m.]

[Docket Nos. 13203-13209; FCC 59M-1310]

H AND R ELECTRONICS, INC., ET AL.

Order Scheduling Hearing

In re applications of H and R Electronics, Inc., Greenville, North Carolina, Docket No. 13203, File No. BP-11635; Harry A. Epperson, Sr., Winston-Salem, North Carolina, Docket No. 13204, File No. BP-12482; Francis M. Fitzgerald, Greensboro, North Carolina, Docket No. 13205, File No. BP-12566; Wilbur B. Reisenweaver, tr/as Reisenweaver-Communications, Winston-Salem, North Carolina, Docket No. 13206, File No. BP-12641; North Carolina Electronics, Inc., Raleigh, North Carolina, Docket No. 13207, File No. BP-12769; James Poston and Frank P. Larson, Jr., d/b as Poston-Larson Broadcasting Company, Graham, North Carolina, Docket No. 13208, File No. BP-13094; WYTI, Incorporated, Vinton, Virginia, Docket No. 13209, File No. BP-13117; for construction permits.

It is ordered, This 6th day of October 1959, that Elizabeth C. Smith will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on December 17, 1959, in

Washington, D.C.

Released: October 7, 1959.

FEDERAL COMMUNICATIONS
COMMISSION.

[SEAL] MARY JANE MORRIS,

Secretary.

[F.R. Doc. 59-8575; Filed, Oct. 9, 1959; 8:49 a.m.]

[List No. 217]

MEXICAN BROADCAST STATIONS

Changes, Proposed Changes, and Corrections in Assignments

SEPTEMBER 21, 1959.

Notification under the provisions of part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and correction in Assignments of Mexican Broadcast Stations Modifying the Appendix containing assignments of Mexican Broadcast Stations (Mimeograph 47214-6) attached to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting January 30, 1941.

[Mexican List No. 217]

Call letters	Location	Power kw	An- tenna	Sched- ule	Class	Expected date of com- mencement of operation
		610 kilocycles				
XEKZ (PO: 600 kc 500 w D/100 w N ND U).	Tehuantepec, Oaxaca	1 kw D/0.5 kw N_	ИD	ਹ	m	Mar. 21, 1960
W D/100 W IN IND O).	` '	680 kilocycles			-	
XEKQ (PQ:670 kc1kw ND D).	Tapachula, Chiapas	5 kw D/0.5 kw N	ND	ד	п	Do.
2.2.27	,	700 kilocycles				
XEVO (New)	Cordoba, Veracruz	0.5 kw	ND	D	п	Do.
	• **	710 kilocycles				
XEKU (New)	Acapulco, Guerrero	0.25 kw D/0.15 kw N.	ND	Ū	п	Do.
		770 kilocycles			l	
XEML (New)	Apatzingan, Michoacan	0.25 kw	ND	מ	п	Do.
		790 kilocycles	İ	Ī		1
XENT (PQ:790 kc 2 kw	La Paz, Baja California	5 kw D/0.75 kw Ń.	ND	σ	m	Dec. 21, 1959
D/750 w N ND U).		840 kilocycles				
NEEC (PO: 840 kc Tam- pico, Tam. 500 w ND D).	Ciudad Mante, Tamauli- pas.	0.5 kw	ND	D	п	Do.
<i>'</i>		860 kilocycles		1		
XEWI (New)	Chapala, Jalisco	1 kw	ND	D	п	Mar. 21, 1960
•		920. Lilocycles		1		
XEGK (delete assign-	Papantla, Veracruz	0.25 kw	NĐ	ד	п	Sept. 21, 1959
MEXV (delete assign-	Verseruz, Veracruz	5 kw D/0.25 kw N.	ND.	ט	IV-	Do.
Ment). XEU (PO: 960 kc 500 W ND U).	Veracruz, Veracruz	5 kw D/0.5 kw N_	ND	ד	m	Mar. 21, 1960
ND U).		960 kilocycles		1	٠.	ŀ
New	Veracruz, Veracruz	0.5 kw	ND	ט	ш-в	Do.
	·	1320 kilocycles		1		ļ
XEWX (change in call	Tuxtepec, Oaxaca	1 kw D/0.1 kw N	ND	ט	IV	Sept. 21, 1959
letters from XETN). XERN (PO: 1320 kc 1 kw D/200 w N ND U).	Montemorelos, Nuevo	1 kw D/0.1 kw N	ND	ס	IV	Mar. 21, 1960
D)200 W IN IND O).	Leon.	1330 kilocycles	1			
XERP (PO: 1330 ke 1 kw ND D).	Ciudad Madero, Tamau- lipas.	1 kw D/0.1 kw N	ND	ע	III-D	Do.
KD D).	npas.	1400 kilocycles				
XEKJ (PO:1400 kc1 kw	Acapulco, Guerrero	0.5kwD/0.25kwN.	ИD	U	IV	Immedi- ately.
$D/250 \otimes N ND U$).		1420 kilocycles				dio.j.
XEWP (New)	Autlan De Navarro, Ja-	0.5 kw	MD	D	ш	Mar. 21, 1960
	naco.	1460 kilocycles				
XEHE (now in opera-	Atotonilco el Alto, Jalisco	0.25 kw	ND	D	IV	Sept. 21, 1959
tion).		1490 kilocycles				
XEQT (change in call letters from XEOW).	Veracruz, Veracruz	0.1 kw	ND.	σ	IV	Do.
icucia nom ano 11).	,	1520 kilocycles		1		
XEZQ (change in call letters from XETH).	Huimanguillo, Tabasco	1 kw D/0.1 kw N	. מא	σ	n	Do.
was nom vertu).		1590 kilocycles			ļ. ,	
XENH (New)	Escrinapa, Sinaloa	1 kw D/0.25 kw N.	_ ND	ਹ	IA	Mar. 21, 1960

ESEAT.

FEDERAL COMMUNICATIONS COMMISSION, MARY JANE MORRIS, Secretary.

[F.R. Doc. 59-8579; Filed, Oct. 9, 1959; 8:49 a.m.]

[Docket Nos. 13213, 13214; FCC 59M-1312]

MOUNT WILSON FM BROADCAST-ERS, INC. (KBCA) AND FREDDOT, LTD. (KITT)

Order Scheduling Hearing

Angeles, California, Docket No. 13213, File No. BPH-2705; Freddot, Ltd. (KITT), San Diego, California, Docket No. 13214, File No. BMPH-5593; for construction permits (FM Facilities).

It is ordered, This 6th day of October 1959, that Basil P. Cooper will preside at In re applications of Mount Wilson, the hearing in the above-entitled pro-FM Broadcasters, Inc., (KBCA), Los ceeding which is hereby scheduled to

commence on December 17, 1959, in Washington, D.C.

Released: October 7, 1959.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS, Secretary.

[F.R. Doc. 59-8576; Filed, Oct. 9, 1959; 8:49 a.m.]

[Docket Nos. 13210-13212; FCC 59M-1311]

FRANK A. TAYLOR ET AL. Order Scheduling Hearing

In re applications of Frank A. Taylor, Haines City, Florida, Docket No. 13210, File No. BP–11884; Zephyr Broadcasting Corp., Zephyrhills, Florida, Docket No. 13211, File No. BP–12291; Myron A. Reck (WTRR), Sanford, Florida, Docket No. 13212, File No. BP-12900; for construction permits.

It is ordered, This 6th day of October 1959, that Jay A. Kyle will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on December 21, 1959, in Washington, D.C.

Released: October 7, 1959.

FEDERAL COMMUNICATIONS .

COMMISSION,

[SEAL] MARY JANE MORRIS, Secretary.

[F.R. Doc. 59-8578; Filed, Oct. 9, 1959; 8:49 a.m.]

[Docket Nos. 13076, 13077; FCC 59M-1298]

SUPREME BROADCASTING CO., INC., OF PUERTO RICO AND RADIO AMERICAN WEST INDIES, INC.

Order Continuing Hearing

In re applications of Supreme Broadcasting Company, Inc., of Puerto Rico, Christiansted, St. Croix, Virgin Islands, Docket No. 13076, File No. BPCT-2575, Radio American West Indies, Inc., Christiansted, St. Croix, Virgin Islands, Docket No. 13077, File No. BPCT-2581; for construction permits for new television broadcast stations (Channel 8).

The Hearing Examiner having under consideration a joint motion filed September 30, 1959, by the above-entitled applicants requesting that the date of the prehearing conference now scheduled for October 6, 1959, be continued to January 6, 1960, and that the date of the evidentiary hearing now scheduled to commence October 21, 1959, be continued

to January 21, 1960; and
It appearing that the reason for the requested continuance arises out of the fact that the applicants require additional time in which to complete the preliminary and preparatory phases of activity normal and incidental to the period preceding the prehearing conference as well as the hearing and the distances of their clients make it difficult to arrange meetings for the completion of the preliminary and preparatory phases referred to; and

It further appearing that there are no objections to the granting of the joint motion for the requested postponement and that good cause for the requested continuance having been shown;

It is ordered, This the 6th day of October 1959, that the joint motion for postponement is granted and the prehearing conference now scheduled for October 6, 1959, is continued to January 6, 1960, and the evidentiary hearing now scheduled to commence October 21, 1959, is continued to January 21, 1960.

Released: October 6, 1959.

Federal Communications Commission,

[SEAL]

Mary Jane Morris, Secretary.

[F.R. Doc. 59-8577; Filed, Oct. 9, 1959; 8:49 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-2025]

ALLIS-CHALMERS MFG. CO.

Notice of Application for Unlisted Trading Privileges, and of Opportunity for Hearing

OCTOBER 5, 1959.

In the matter of application by the Cincinnati Stock Exchange for Unlisted Trading Privileges in Allis-Chalmers Mfg. Company, common stock; File No. 7-2025.

The above named stock exchange, pursuant to section 12(f) (2) of the Securities Exchange Act of 1934 and Rule 12f-1 promulgated thereunder, has made application for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange and Midwest Stock Exchange

Upon receipt of a request, on or before October 21, 1959, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the

By the Commission.

seall Orval L. DuBois, Secretary.

[F.R. Doc. 59-8550; Filed, Oct. 9, 1959; 8:46 a.m.]

[File 24NY-4691]

AELUS WING CO., INC.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

OCTOBER 6, 1959.

I. Aelus Wing Company, Incorporated (issuer), a New Jersey corporation, 346 South Broad Street, Trenton 10, New Jersey, filed with the Commission on June 16, 1958, a notification on Form 1-A and an offering circular relating to an offering of 35,000 shares of its \$1.00 par value common stock and 17,500 shares of its 7 percent \$1.00 par value cumulative preferred stock, to be offered in units of 10 shares common stock and 5 shares of preferred stock at \$15.00 per unit, for an aggregate offering of \$52,500, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) and Regulation A promulgated thereunder.

II. The Commission has reasonable cause to believe that:

A. The terms and conditions of Regulation A have not been complied with, in that:

1. The notification on Form 1-A fails to set forth fully information about unregistered securities issued or sold within one year prior to the filing of its notification, as required by Item 9;

2. The issuer published an advertisement used in connection with its offering of securities without filing such material with the Commission at least five days prior to the use thereof, as required by Rule 258;

3. The issuer sent written communications to more than 10 persons in connection with the offering without filing such material with the Commission at least five days prior to the use thereof, as required by Rule 258;

4. The issuer made written offers of its securities without giving or sending each person to whom such written offer was made an offering circular at the time of such written offer or prior thereto, as required by Rule 256(a);

5. The issuer has failed to file a revised offering circular, as required by Rule 256(e).

B. The offering circular and sales literature used by the issuer contain untrue statements of material facts and omit to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, particularly with respect to:

1. The failure to disclose in the offering circular the issuer's contingent liability under section 12 of the Securities Act of 1933, in connection with securities sold within one year, without an available exemption, in violation of section 5 of said Act;

2. The statement in sales literature appearing in the Trenton, New Jersey Sunday Times-Advertiser on Sunday, February 8, 1959 about the "Atom-Sublimator":

C. The offering would be in violation of section 17 of the Securities Act of 1933, as amended.

III. It is ordered, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it is hereby, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within thirty days after the entry of this order; that within twenty days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will promptly be given by the Commission.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F.R. Doc. 59-8549; Filed, Oct. 9, 1959; 8:46 a.m.]

[File No. 7-2026]

ALUMINIUM LIMITED

Notice of Application for Unlisted Trading Privileges, and of Opportunity for Hearing

OCTOBER 5, 1959.

In the matter of application by the Cincinnati Stock Exchange for Unlisted Trading Privileges in Aluminium Limited, common stock; File No. 7-2026.

The above named stock exchange, pursuant to section 12(f)(2) of the Securities Exchange Act of 1934 and Rule 12f-1 promulgated thereunder, has made application for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange, Midwest Stock Exchange and Pacific Coast Stock Exchange.

Upon receipt of a request, on or before October 21, 1959, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of

8284 NOTICES

a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretry.

[F.R. Doc. 59-8551; Filed, Oct. 9, 1959; 8:46 a.m.]

[File No. 7-2027]

AMERICAN MOTORS CORP.

Notice of Application for Unlisted Trading Privileges, and of Opportunity for Hearing

OCTOBER 5, 1959.

In the matter of application by the Cincinnati Stock Exchange for Unlisted Trading Privileges in American Motors Corporation, common stock; File No. 7-2027.

The above named stock exchange, pursuant to section 12(f)(2) of the Securities Exchange Act of 1934 and Rule 12f-1 promulgated thereunder has made application for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange, Midwest Stock Exchange and Boston Stock Exchange.

Upon receipt of a request, on or before October 21, 1959, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL]

ORVAL L. BuBois, Secretary.

[F.R. Doc. 58-8552; Filed, Oct. 9, 1959; 8:46 a.m.]

[File No. 7-2028]

BRUNSWICK-BALKE-COLLENDER CO.

Notice of Application for Unlisted Trading Privileges, and of Opportunity for Hearing

OCTOBER 5, 1959.

In the matter of application by the Cincinnati Stock Exchange for Unlisted Trading Privileges in Brunswick-Balke-

Collender Co., common stock; File No. 7-2028.

The above named stock exchange, pursuant to section 12(f)(2) of the Securities Exchange Act of 1934 and Rule 12f-1 promulgated thereunder has made application for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange.

Upon receipt of a request, on or before October 21, 1959, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 59-8553; Filed, Oct. 9, 1959; 8:46 a.m.]

[File No. 7-2029]

BURROUGHS CORP.

Notice of Application for Unlisted Trading Privileges, and of Opportunity for Hearing

OCTOBER 5, 1959.

In the matter of application by the Cincinnati Stock Exchange for Unlisted Trading Privileges in Burroughs Corporation, common stock; File No. 7–2029.

The above named stock exchange, pursuant to section 12(f) (2) of the Securities Exchange Act of 1934 and Rule 12f-1 promulgated thereunder, has made application for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange, Pacific Coast Stock Exchange, Midwest Stock Exchange and Detroit Stock Exchange.

Upon receipt of a request, on or before October 21, 1959, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission. Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 59-8554; Filed, Oct. 9, 1959; 8:46 a.m.]

[File No. 7-2030]

DETROIT STEEL CORP.

Notice. of Application/ for Unlisted Trading Privileges, and of Opportunity for Hearing

OCTOBER 5, 1959.

In the matter of application by the Cincinnati Stock Exchange for Unlisted Trading Privileges in Detroit Steel Corporation, common stock; Filed No. 7-2030.

The above named stock exchange, pursuant to section 12(f) (2) of the Securities Exchange Act of 1934 and Rule 12f-1 promulgated thereunder, has made application for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange and Detroit Stock Exchange.

Upon receipt of a request, on or before October 21, 1959, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 59-8555; Filed, Oct. 9, 1959; 8:46 a.m.]

[File No. 7-2031]

FRUEHAUF TRAILER CO.

Notice of Application for Unlisted Trading Privileges, and of Opportunity for Hearing

OCTOBER 5, 1959.

In the matter of application by the Cincinnati Stock Exchange for Unlisted Trading Privileges in Fruehauf Trailer Company, common stock; File No. 7-2031.

The above named stock exchange, pursuant to section 12(f) (2) of the Securities Exchange Act of 1934 and Rule 12f-1 promulgated thereunder, has made application for unlisted trading privileges in the specified security, which is

FEDERAL REGISTER

listed and registered on the New York Stock Exchange, Pacific Coast Stock Exchange, Midwest Stock Exchange and Detroit Stock Exchange.

Upon receipt of a request, on or before October 21, 1959, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 59-8556; Filed, Oct. 9, 1959; 8:46 a.m.]

[File No. 7-2032]

JONES & LAUGHLIN STEEL CORP.

Notice of Application for Unlisted Trading Privileges, and of Opportunity for Hearing

OCTOBER 5, 1959.

In the matter of application by the Cincinnati Stock Exchange for Unlisted Trading Privileges in Jones & Laughlin Steel Corporation, common stock; File No. 7–2032.

The above named stock exchange, pursuant to section 12(f)(2) of the Securities Exchange Act of 1934 and Rule 12f-1 promulgated thereunder, has made application for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange.

Upon receipt of a request, on or before October 21, 1959, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 59-8557; Filed, Oct. 9, 1959; 8:46 a.m.]

[File No. 7-2033]

NATIONAL GYPSUM CO.

Notice of Application for Unlisted Trading Privileges, and of Opportunity for Hearing

OCTOBER 5, 1959.

In the matter of application by the Cincinnati Stock Exchange for Unlisted Trading Privileges in National Gypsum Company, common stock; File No. 7–2033.

The above named stock exchange, pursuant to section 12(f)(2) of the Securities Exchange Act of 1934 and Rule 12 f-1 promulgated thereunder, has made application for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange.

Upon receipt of a request, on or before October 21, 1959, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 59-8558; Filed, Oct. 9, 1959; 8:46 a.m.]

[File No. 7-2034]

NORTH AMERICAN AVIATION, INC.

Notice of Application for Unlisted Trading Privileges, and of Opportunity for Hearing

OCTOBER 5, 1959.

In the matter of application by the Cincinnati Stock Exchange for Unlisted Trading Privileges in North American Aviation, Inc., common stock; File No. 7-2034.

The above named stock exchange, pursuant to section 12(f) (2) of the Securities Exchange Act of 1934 and Rule 12 f-1 promulgated thereunder, has made application for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange.

. Upon receipt of a request, on or before October 21, 1959, from any interested person, the Commission will determine

whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 59-8559; Filed, Oct. 9, 1959; 8:46 a.m.]

[File No. 7-2024]

STUDEBAKER-PACKARD CORP.

Notice of Application for Unlisted Trading Privileges, and of Opportunity for Hearing

OCTOBER 5, 1959.

In the matter of application by the Midwest Stock Exchange for unlisted trading privileges in Studebaker-Packard Corporation, common stock "When Issued"; File No. 7-2024.

The above-named stock exchange, pursuant to section 12(f)(2) of the Securities Exchange Act of 1934 and Rule 12f-1 promulgated thereunder, has made application for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange.

Upon receipt of a request, on or before October 21, 1959, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[FR. Doc. 59-8560; Filed, Oct. 9, 1959; 8:46 a.m.]

DEPARTMENT OF JUSTICE

Office of Alien Property FRITZ DREYFUS ET AL.

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 cays from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

\$617.69 in the Treasury of the United States, to the claimants in the following proportions:

Fritz Dreyfus, Flushing, N.Y.; 1/6 thereof. Franz Hallo, Cincinnati, Ohio; 1/12 thereof.

Ludwig Kleeberg, New York, N:Y.; 1/12: thereof.

Doris Kuhn, West Hartford, Conn.; 1/24 thereof.

Paul Dreyfus, London, England; 1/24 thereof.

Else Gross, Sydney, Australia; 1/24 thereof. Hilde Hubbuck, New York, N.Y.; 1/24 thereof.

Eernard Kuhn, Chicago, Ill.; 1/12 thereof. Uri Kuhn, Naharyia, Israel; 1/12 thereof. Frances Rose, Syracuse, N.Y.; 1/36 thereof. Margot Jones, London, England; 1/36 thereof.

Paul Feiss, Jerusalem, Israel; 1/36 thereof. Kay Mackmann, Winnetka, Ill.; 1/36 thereof.

Walter Katz, Jerusalem, Israel; 1/36 thereof.

Lotte Katz, Jerusalem, Israel; 1/36 thereof. Vesting Order No. 545. Claim No. 38471. Executed at Washington, D.C., on October 5, 1959.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,

Assistant Attorney General,

Director, Office of Alien Property.

[FR. Doc. 59-8573; Filed, Oct. 9, 1959; 8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

OCTOBER 7, 1959.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 35740: Coal—Inner and Outer Crescent Mines to Austin; Ind. Filed by O. W. South, Jr., Agent (No. A3848), for interested rail carriers. Rates on coal, carloads from stations and mines in Kentucky, Tennessee and Virginia on the Interstate and Louisville and Nashville railroad, as described in the application to Austin, Ind., on the Pennsylvania Railroad.

Grounds for relief: Market competition with like coal moving via barge and truck through Madison, Ind., from Kanawha River Valley points.

Tariff: Supplement 1 to Southern Freight Tariff Bureau tariff I.C.C. No. S-69.

FSA No. 35741: Lubricating oil—Chicago, Ill., to Kansas City, Mo.-Kans.

Filed by Western Trunk Line Committee, Agent (No. A-2088), for interested rail carriers. Rates on petroleum lubricating oil, tank-car loads from Chicago, Ill., to Kansas City, Mo.-Kans.

Grounds for relief: Market competition with eastern producing points at Kansas City.

Tariff: Supplement 146 to Western Trunk Line Committee, Agent, tariff I.C.C. A-4038.

FSA No. 35742: Freight all kinds, LCL, from and to southwestern points. Filed by Southwestern Freight Bureau, Agent (No. B-7648), for interested rail carriers. Rates on freight, all kinds, less than carloads from specified points in Arkansas, Missouri, and Oklahoma, also Memphis, Tenn., to specified points in Arkansas, Missouri, and Oklahoma.

Grounds for relief: Motor truck competition.

Tariff: Supplement 17 to Southwestern Freight Bureau, Agent, tariff I.C.C. 4286.

FSA No. 35743: Acrylonitrile—New Orleans, La., to Chicago, Ill., group. Filed by O. W. South, Jr., Agent (SFA No. A3849), for interested rail carriers. Rates on acrylonitrile, tank-car loads from New Orleans, La., to South Chicago, Ill., East Chicago, Hammond and Indiana Harbor, Ind.

Grounds for relief: Rate relationship (points in same destination group).

Tariff: Supplement 104 to Southern Freight Association, Agent, tariff I.C.C. No. 452.

By the Commission.

[SEAL] HARO

HAROLD D. McCoy, Secretary.

[F.R. Doc. 59-8572; Filed, Oct. 9, 1959; 8:48 a.m.]

CUMULATIVE CODIFICATION GUIDE—OCTOBER

A numerical list of parts of the Code of Federal Regulations affected by documents published to date during October. Proposed rules, as opposed to final actions, are identified as such.

3 CFR	Page	5 CFR—Continued Page	7 CFR—Continued	Page
Proclamations:	-	67942, 7979	933800	2,8003
3160	7893	247981	935	. 8087
3225	7893	6 CFR	941-944	. 8087
3285	7893		946	. 8087
3315	7891	10 7894	948-949	8087
3316	7891	3317942	951	. 8004
3317	7893	4218212	952	
3318	7979	4278249	953800	4.8251
Executive Orders:		4857987	953800 954	8087
Sept. 1, 1887	8175	7 CFR	955	
July 20, 1905		528162	956	8087
July 21, 1905		4017894	958808	9,8252
May 11, 1915		7298209, 8211	959	
May 17, 1921		8477942	965968	
1579	8175	9038087	971-972	
6883	8260	905-908-8087	974—978	
8509	8175	911—913 8087	980	. 8087
10791	7939	916—9198087	982	8087
10839	7939	921 8087	985-988	
10840	7939	9228001, 8251	989	
10841	7941	923—925	991	
10842	8249	928—9328087	994—995	
	0210			

/ (CFR—Continued	Page
998_		8087
1000		8087
		8087
		8087
	3—1009	8087
		8087 8089
		8087
		8087
		8087
		8162
1105)	8170
Prop	nosed rules:	
	52	8112
	55	7899
	81	8114
	722	7900
	723	8237 8237
	725	8237
	729	8239
	730 8186,	
	815	8239
	904	8116
	924	8116
	927	8184
	954	8186
	957	7962
	961	8117
	990	8116
	996	8116 8116
	999	7963
	1010	8117
	1015	8118
	1019	8116
	1027	7964
^	CFR	
9 (
	CIR	00"4
54		8254
54	posed rules:	
54 Pro	posed rules: 92	825 4 7900
54 Pro:	posed rules: 92	7900
54 Pro:	posed rules: 92	
54 Prop 12 563.	posed rules: 92 CFR	7900
54 Proj 12 563.	posed rules: 92 CFR CFR	7900 7894
54 Prop 12 563. 13 121.	posed rules: 92 CFR CFR	7900
54 Prop 12 563. 13 121.	posed rules: 92 CFR CFR	7900 7894
54 Prop 12 563. 13 121. 14	posed rules: 92 CFR CFR	7900 7894 7943 8089
54 Prop 12 563. 13 121. 14	posed rules: 92 CFR CFR	7900 7894 7943 8089
54 Prop 12 563. 13 121. 14 40 41	posed rules: 92 CFR CFR CFR 8090	7900 7894 7943 8089 8254 8090
54 Prop 12 563. 13 121. 14 40 41 42 375	posed rules: 92 CFR CFR CFR	7900 7894 7943 8089 8254 8090 8091
54 Prop 12 563. 13 121. 14 40 41 42 375. 507.	posed rules: 92	7900 7894 7943 8089 8254 8090 8091 8092
54 Prop 12 563. 13 121. 14 40 41 42 375. 507.	posed rules: 92	7900 7894 7943 8089 8254 8090 8091 8092
72 563. 13 121. 14 40 41 42 507. 514. 600.	posed rules: 92	7900 7894 7943 8089 8254 8090 8091 8092 7943 8093
54 Pro 12 563. 13 121. 14 40 41 507. 514. 600. 601.	posed rules: 92	7900 7894 7943 8089 8254 8090 8091 8092 7943 8093 8093
72 563. 13 121. 14 40 42 375. 507. 514. 600. 601. 608.	posed rules: 92	7900 7894 7943 8089 8254 8090 8091 8092 7943 8093 8093 7982
72 563. 13 121. 14 40 42 375. 507. 514. 600. 601. 608. 609.	posed rules: 92	7900 7894 7943 8089 8254 8090 8091 8092 7943 8093 8093 7982 7983
54 Pro: 12 563. 13 121. 14 40 41 42 507. 514. 600. 601. 608. 609. 610.	Posed rules: 92	7900 7894 7943 8089 8254 8090 8091 8092 7943 8093 8093 7982
54 Pro: 12 563. 13 121. 14 40 41 42 507. 514. 600. 601. 608. 609. 610.	posed rules: 92	7900 7894 7943 8089 8254 8090 8091 8092 7943 8093 8093 7982 7983
54 Pro: 12 563. 13 121. 14 40 41 42 507. 514. 600. 601. 608. 609. 610.	posed rules: 92	7900 7894 7943 8089 8254 8090 8091 8092 7943 8093 7982 7983 7985 8188 7965
54 Pro: 12 563. 13 121. 14 40 41 42 507. 514. 600. 601. 608. 609. 610.	Posed rules: 92	7900 7894 7943 8089 8254 8090 8092 7943 8093 7982 7983 7985 8188 7965
54 Pro: 12 563. 13 121. 14 40 41 42 507. 514. 600. 601. 608. 609. 610.	Posed rules: 92	7900 7894 7943 8089 8254 8090 8092 7943 8093 7982 7983 7985 8188 7965 8270
54 Pro: 12 563. 13 121. 14 40 41 42 507. 514. 600. 601. 608. 609. 610.	Posed rules: 92	7900 7894 7943 8089 8254 8090 8092 7943 8093 7985 8188 7965 8270 7967
54 Pro: 12 563. 13 121. 14 40 41 42 507. 514. 600. 601. 608. 609. 610.	Posed rules: 92	7900 7894 7943 8089 8254 8090 8092 7943 8093 7985 8188 7965 8270 7967
54 Pro: 12 563. 13 121. 14 40 41 42 507. 514. 600. 601. 608. 609. 610.	Posed rules: 92	7900 7894 7943 8089 8254 8090 8092 7943 8093 7985 8188 7965 8270 7967
12 563. 13 121. 14 40 42 507. 514. 600. 601. 608. 609. 610. Pro	Posed rules: 92	7900 7894 7943 8089 8254 8090 8091 8092 7983 7982 7983 7985 8188 7965 8270 7967 8271
12 563. 13 121. 14 40 41 375. 507. 514. 600. 601. 609. 610. Pro	Posed rules: 92	7900 7894 7943 8089 8254 8099 8091 8092 7943 8093 8093 87985 8188 7965 8270 7967 8271
12 563. 13 121. 14 40 41 375. 507. 514. 600. 601. 608. 610. Pro	Posed rules: 92	7900 7894 7943 8089 8254 8090 8091 8092 7983 7982 7983 7985 8188 7965 8270 7967 8271
54Prov 12 563. 13 121. 14 404142375. 507. 507. 508. 609. 610. Prov	Posed rules: 92	7900 7894 7943 8089 8254 8090 8092 7943 8093 7982 7983 7985 8188 7965 8270 7967 8271 8170
54Prov Prov 12 563. 13 121. 14 40 41 42 375. 507. 507. 514. 600. 601. 608. 609. 610. Pro 15 371. 373. 374. 385	Posed rules: 92	7900 7894 7943 8089 8254 8090 8092 7943 8093 7985 8188 7965 8270 7967 8271 8170 8170
54Property 12	Posed rules: 92	7900 7894 7943 8089 8254 8090 8091 8092 7943 8093 7985 8188 7965 8270 8270 8170 8170 8170 8170
12 563. 13 121. 14 40 41 507. 514. 600. 601. 608. 610. Pro	Posed rules: 92	7900 7894 7943 8089 8254 8090 8092 7943 8093 7982 7983 7985 8188 7965 8270 7967 8271 8170 8170 8170

17	CFR	Page
1		8141
	oosed rules:	
	257	8271
	CFR	
23	and	7949
Proj	oosed rules: 14	8265
	16	8265
21	CFR	
9		8065
19		8226
1460	·	8226 8226
Pro	posed rules:	
	18	7964 8270
	121	7965
22	CFR	
		8005
25	CFR	
		8257
		7949
		7949 7949
		7949
		7949
217.	posed rules:	8065
¥ 1 0,	221	7901
26	(1954) CFR [*]	
	posea ruies: 1 8177,	, 8231
29	CFR	
		7949
		7951 8019
•	CFR	
	posed rules:	
- 10	250	8080
31	CFR	
		8019
		8045
32	CFR	
		8213
		8218 8218
		8220
		8220
		8221 8223
9		8224
		8224 8225
		8225
536		8257
		8143 8143
		8145
823		8225
100		8145 8146
105	11055 8146, 8147, 8152	, 8157
105	71059 8157	, 8161
_		_ 0104
	A CFR	
IVS.	A (Chapter XVIII): AGE-1	7951
I	AGE 1	7051

33	CFR	Page
207.		8226
210.		7952
36	CFR	
	manad mulans	
	1 7961,	8184
	13	7961
37	CFR	
1		7954
38	CFR	
1		8174
	CFR	
168		8143
		0143
41 201.	CFR	8067
		0001
	CFR	
		8067 7955
295.	posed rules:	1999
170	147	8078
	147	8078
Pub	olic land orders:	5050
	1588	7956 7958
	1943	7956
	1995	7956
	1996	7956
	1997	7957
	1998	.7957 7958
	2000	8006
	2001	8093
	2002	8175
	2003	8175
	2004	8176 8260
	2006	8260
15	CFR	
		8228
531		8068
46		
		7960
		7961
308		8093
309.		8260
47	CFR	
		8176
		8068
		8071 7951
		8176
14_		8075
Pro	posed rules:	0100
1	9	8189 8189
40		0103
49	CFR	8056
		8056
		8056
		8059
		8060
	posed rules:	8006
Fre	174a	8006
En	CFR	
		7959
17		8177
		7897.
1	7898, 8075-8077, 8211, 8262	-8264
		8077 7959
1 34-	7899, 7960, 7981	, 8177
135		

•			